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ILLINOIS

Primary Election

Laws

In Force July 1, 1917



Compiled by
LOUIS L. EMMERSON
Secretary of State

[Printed by authority of the State of
Illinois.]

ILLINOIS. *Laws, Statutes, etc.*

Primary Election Laws

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AN ACT

To Provide for the Holding of Primary
Elections by Political Parties

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To Provide for the Holding of Primary
Elections by Political Parties for the
Nomination of Members of the
General Assembly and the
Election of Senatorial
Committeemen.

[Printed by authority of the State of Illinois.]

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GENERAL PRIMARY ELECTION LAW.

AN ACT *to provide for the holding of primary elections by political parties.* [Approved March 9, 1910, as amended and in force July 1, 1913, as amended by Act approved and in force January 24, 1916.]

SECTION 1. WHAT CANDIDATES NOMINATED—COMMITTEEMEN — EXEMPTIONS—PROVISO.] The nomination of all candidates for all elective State, congressional, county, city, and village (including officers of the municipal court of Chicago), town and judicial officers, members of the State Board of Equalization, clerks of the appellate courts, trustees of sanitary districts, township officers in townships co-extensive with cities, incorporated towns or villages, and for the election of precinct, ward and State central committeemen, and delegates and alternate delegates to national nominating conventions, by all political parties, as defined by section 2 of this Act, shall be made in the manner provided in this Act, and not otherwise: *Provided*, this Act shall not apply to the nomination of candidates for electors of President and Vice President of the United States, and trustees of the University of Illinois: *And, provided, further*,

that this Act shall not apply to school elections and township elections other than in townships co-extensive with cities, incorporated towns or villages. The words "township officers," or "township offices," shall be construed when used in this Act to include supervisors, and assistant supervisors. [As amended June 30, 1913.

§ 2. POLITICAL PARTY DEFINED.] A political party, which at the general election for State and county officers then next preceding a primary, polled more than 2 per cent of the entire vote cast in the State, is hereby declared to be a political party within the State, and shall nominate all candidates provided for in this Act under the provisions hereof.

A political party, which at the general election for State and county officers then next preceding a primary, cast more than 2 per cent of the entire vote cast within any Congressional district, is hereby declared to be a political party within the meaning of this Act, within such Congressional district, and shall nominate its candidates for Representative in Congress and for members of the State Board of Equalization within said district, under the provisions hereof.

A political party, which at the general election for State and county officers then next preceding a primary, cast more than 2 per cent of the entire vote cast in any county, is hereby declared to be a political party within the meaning of this Act, within said

county, and shall nominate all county officers in said county under the provisions hereof.

A political party, which at the general election for city and village officers then next preceding a primary, cast more than 2 per cent of the entire vote cast in any city or village, is hereby declared to be a political party within the meaning of this Act, within said city or village, and shall nominate all city or village officers in said city or village under the provisions hereof.

A political party, which at the general election for town officers then next preceding a primary, cast more than 2 per cent of the entire vote cast in said town, is hereby declared to be a political party within the meaning of this Act, within said town, and shall nominate all town officers in said town under the provisions hereof.

A political party, which at the general election in any other municipality or political subdivision, except townships and school districts, for municipal or other offices therein, then next preceding a primary, cast more than 2 per cent of the entire vote cast in such municipality or political subdivision, is hereby declared to be a political party within the meaning of this Act, within said municipality or political subdivision, and shall nominate all municipal or other officers therein under the provisions hereof.

§ 3. PARTY VOTE—HOW DETERMINED.]
In determining the total vote of a

political party, whenever required by this Act, the test shall be the total vote cast by such political party for its candidate who received the greatest number of votes.

§ 4. WORDS AND PHRASES.] The following words and phrases in this Act shall, unless the same be inconsistent with the context, be construed as follows:

1. The word "primary," the primary election provided for in this Act.

2. The word "election," a general election, as distinguished from a special election or a primary election.

3. The word "precinct," a voting district heretofore or hereafter established by law within which all qualified electors vote at one polling place.

4. The words "State office," or "State officer," an office to be filled, or an officer to be voted for, by qualified electors of the entire State, including United States Senator and Congressman at large, and delegates and alternate delegates at large to national nominating conventions.

5. The words "congressional office," or "congressional officer," representatives in Congress and members of the State Board of Equalization, delegates or alternate delegates to National nominating conventions, when such delegates or alternate delegates are chosen by congressional districts.

6. The words "judicial office," or "judicial officer," judges of the Supreme and circuit courts and judges of the superior court of Cook county.

7. The words "county office," or "county officer," an office to be filled or an officer to be voted for, by the qualified electors of the entire county, members of the board of assessors and county commissioners of Cook county.

8. The words "city office" and "village office," or "city officer" and "village officer," an office to be filled or an officer to be voted for by the qualified electors of the entire city or village, as the case may be, including aldermen.

9. The words "town office," or "town officer," an office to be filled or an officer to be voted for by the qualified electors of an entire town.

10. The word "town," as used in this Act, shall be construed to mean an incorporated town. [As amended June 30, 1913.

§ 5. POLLING PLACES.] The primary herein provided for shall be held at the regular polling places now established, or which may hereafter be established, for the purposes of a general election.

§ 6. DATES OF PRIMARIES—HOURS.] A primary shall be held on the second Tuesday in April in every year in which a President of the United States is to be elected, for the purpose of electing delegates and alternate delegates to National nominating conventions and for the purpose of securing an expression of the sentiment and will of the party voters with respect to candidates for nominations for the office of President of the United

States. A primary shall be held on the first Wednesday after the second Tuesday in September in every year in which officers are to be voted for on the first Tuesday after the first Monday in November of such year for the nomination of candidates for such offices as are to be voted for at such November election. Whenever in this Act the term "April primary," or equivalent words shall appear such term or such words shall be construed to refer to and include the primary to be held on the first Wednesday after the second Tuesday in September as well as to the primary to be held on the second Tuesday in April.

A primary shall be held on the last Tuesday in February in each year for the nomination of such officers as are to be voted for on the first Tuesday in April of such year.

A primary shall be held on the second Tuesday in March in each year for the nomination of such officers as are to be voted for on the third Tuesday in April of such year.

A primary for the nomination for all other officers, nominations for which are required to be made under the provisions of this Act, shall be held three weeks preceding the date of the general election for such offices respectively.

The polls shall be open from 6:00 o'clock a. m. to 5:00 o'clock p. m. [As amended June 20, 1913.

§. 7. VOTER'S LEAVE OF ABSENCE.] Any person entitled to vote at such

primary shall, on the day of such primary, be entitled to absent himself from any service or employment in which he is then engaged or employed for a period of two hours between the time of opening and closing the polls, and such primary elector shall not, because of so absentsing himself, be liable to any penalty nor shall any deduction be made on account of such absence from his usual salary or wages: *Provided, however,* that applications for such leave of absence shall be made prior to the day of primary. The employer may specify the hours during which said employee may absent himself.

§ 8. COMMITTEES—CENTRAL OR MANAGING—EXCEPTIONS.] The following committees shall constitute the central or managing committees of each political party, viz: A State central committee, a congressional committee for each congressional district, a county central committee for each county, a city central committee for each city or village, a precinct committee for each precinct, except precincts within the limits of incorporated cities or villages having a population of two hundred thousand (200,000) or over; and a ward committee for each ward in such cities or villages having a population of two hundred thousand or over; *Provided, however,* that nothing contained herein shall prevent a political party from electing or appointing in accordance with its practice other committees. [As amended June 30, 1913.

§ 9. COMMITTEES—COMPOSITION ORGANIZATION—POWERS, ETC.]

(1) STATE CENTRAL COMMITTEE.] The State central committee shall be composed of one member from each congressional district in the State and shall be elected as follows:

At the September primary held in the year A. D. 1910, and at the April primary held every two years thereafter, each primary elector may vote for one candidate of his party for member of the State central committee for the congressional district in which he resides. The State central committee of each political party shall be composed of members elected from the several congressional districts of the State, as herein provided, and of no other person or persons whomsoever. The members of the State central committee shall, within thirty days after their election, meet in the city of Springfield and organize by electing from among their own number a chairman, and may at such time elect such officers from among their own number or otherwise, as they may deem necessary or expedient. The outgoing chairman of the State central committee of the party shall, ten days before the meeting, notify each member of the State central committee elected at the primary of the time and place of such meeting.

(2) PRECINCT COMMITTEEMAN — TIE VOTE.] At the September primary held in September, A. D. 1910, and at the April primary held every two years

thereafter, each primary elector may write or attach in the space left on the primary ballot for that purpose the name of one qualified elector of his party in the precinct for member of his political party precinct committee. The one having the highest number of votes shall be such committeeman of such party for such precinct. In case of a tie the primary judges shall cast lots. The official returns of the primary judges shall show the name and address of the committeemen of each political party in the county: *Provided, however,* the provisions of this sub-section two (2) of section nine (9) shall not apply to precincts within the territorial limits of an incorporated city or village having a population of two hundred thousand or over.

(3) COUNTY CENTRAL COMMITTEE — VOTE.] The county central committee of each political party shall consist of the members of various precinct committees and ward committees, if any, of such party in the county. In the organization and proceedings of the county central committee each precinct committeeman shall have one vote and one additional vote for each fifty votes or major fraction thereof of his party cast in his precinct for Governor at the last general election; and each ward committeeman shall have one vote for each precinct in his ward and one additional vote for each fifty votes or major fraction thereof of his party cast in each precinct of his ward for Governor at the last general election.

(4) CONGRESSIONAL COMMITTEE—EXCEPTIONS.] The congressional committee of each political party shall be composed of the chairman of the county central committees of the counties composing the congressional district, excepting that in congressional districts wholly within the territorial limits of one county, or wholly within the territorial limits of one county and partly within the territorial limits of another county, then the members of the precinct committees of the party residing within the limits of the congressional district shall compose the congressional committee: *Provided, however,* that in congressional districts wholly within the territorial limits of an incorporated city or village having a population of two hundred thousand or over, or partly within the limits of such city or village and partly without the limits of such city or village, then the members of the precinct and ward committees of the party of the precincts and wards within the limits of the congressional district shall compose the congressional committee.

In the organization and proceedings of congressional committees, composed in whole or in part of precinct committeemen, each precinct committeeman shall have one vote and one additional vote for each fifty votes or major fraction thereof of his party cast in his precinct for Governor at the last general election, and in the organization and proceedings of congressional committees composed in

whole or in part of ward committeemen, each ward committeeman shall have one vote for each precinct in his ward and one additional vote for each fifty votes or major fraction thereof of his party as cast in each precinct of his ward located in such congressional district for Governor at the last general election.

(5) CITY CENTRAL COMMITTEE — EXCEPTIONS.] The city central committee of each political party shall be composed of the precinct committeemen of such party residing in such city, excepting that in incorporated cities or villages having a population of two hundred thousand or over, then the city central committee shall be composed of the ward committeemen residing within the territorial limits of such city or village, which said ward committeemen shall be elected at large in their respective wards.

The word "ward," in this section shall be construed to mean a division for which aldermen are elected in such last mentioned cities or villages.

(6) POWERS AND DUTIES.] Each committee and its officers shall have the powers usually exercised by such committees and by the officers thereof, not inconsistent with the provisions of this Act. The several committees herein provided for shall not have power to delegate any of their powers or functions to any other person, officer or committee, but this shall not be construed to prevent a committee from appointing from its own membership proper and necessary sub-commit-

tees, and particularly defining, by resolution, the duties of such sub-committees.

(7) EXISTING PARTY COMMITTEES RECOGNIZED.] The various political party committees now in existence are hereby recognized and shall exercise the powers and perform the duties herein prescribed until committeemen are chosen, in accordance with the provision of this Act. [As amended June 30, 1913.

§ 10. CONVENTION DATES — ORGANIZATION—DELEGATES—CALL, ETC.]

(a) COUNTY CONVENTIONS.] On the first Monday next succeeding the April primary, the county central committee of each political party shall meet at the county seat of the proper county and proceed to organize by electing from its own number a chairman, and either from its own number, or otherwise, such other officers as said committee may deem necessary or expedient. Such meeting of the county central committee shall be known as the county convention. The county convention of each political party shall choose delegates to the congressional and State convention of its party: *Provided*, only precinct and ward committeemen of the respective precincts and wards within the limits of a congressional district shall participate in the selection of delegates to a congressional convention: *And, provided, further*, that in the county convention that each of such precinct committeemen in the county convention shall have one vote and one additional vote

for each fifty votes or major fraction thereof of his party cast in his precinct for Governor at the last general election and that each of such ward committeemen shall have one vote for each precinct in his ward and one additional vote for each fifty votes or major fraction thereof of his party cast in each precinct of his ward, for Governor at the last general election.

(b) CONGRESSIONAL CONVENTIONS.] All congressional conventions shall be held on the first Wednesday after the first Monday next succeeding the April primary. The congressional convention of each political party shall have power to choose and select delegates and alternate delegates to National nominating conventions, and to recommend to the State convention of its party the nomination of candidate or candidates from such congressional district for elector or electors of President and Vice President of the United States.

(c) STATE CONVENTIONS.] All State conventions shall be held on the first Friday after the first Monday next succeeding the April primary. The State convention of each political party shall have power to make nominations of candidates for the electors of President and Vice President of the United States and for trustees of the University of Illinois, and to adopt any party platform.

(d) FUNCTIONS OF CONVENTIONS.] Each convention may perform all other functions inherent to such political organization and not inconsistent with this Act.

(e) CALLS FOR CONVENTIONS—FILING —FORM.] At least thirty-three (33) days before the April primary the State and congressional committee, respectively, of each political party shall file in the office of the county clerk in each county of the State, or in each county of the congressional district, a call for the State and congressional conventions. Said call shall state, among other things, the time and place (designating the building or hall) for holding the State and congressional conventions, respectively, the total number of delegates which shall compose each of said conventions, and the call for State conventions shall state, among other things, the number of delegates to which each county is entitled in the State convention, and the call for the congressional convention shall state, among other things, the number of delegates to which each county or political subdivision of any county, as the case may be, is entitled to in the congressional convention. Such call shall be signed by the chairman and attested by the secretary of the respective committees. [As amended June 30, 1913.

§ 11. ALDERMEN UNDER MINORITY REPRESENTATION.] In cities which have adopted minority representation in the city council, the city central committee shall, at least thirty (30) days prior to the date of the primary, by resolution, fix and determine the number of candidates for alderman in such of the wards of their city to be nominated by their party at the pri-

mary for the nomination of candidates for city offices.

A copy of said resolutions, duly certified by the chairman and attested by the secretary, shall, within two days thereafter, be filed in the office of the city clerk.

In all primaries for the nomination of candidates for alderman under minority representation, each qualified (minority) elector may cast as many votes for one candidate as there are candidates to be nominated, or may distribute the same, or equal parts thereof, among the candidates for nomination as he shall see fit, and the candidate for nomination highest in votes shall be declared nominated.

§ 12. NOTICE OF PRIMARY—DUTY OF CLERKS.] At least twenty (20) days before each primary the county clerk of each county, or the city, village or town or other clerk, whose duty it is to give notice of general election under the general election laws of this State, for the election of officers whose nomination is required to be made under the provisions of this Act, shall prepare in the manner provided in the general election laws of this State, a notice of such primary, which notice shall state the time and place of holding the primary, the hours during which the polls will be open, the offices for which candidates will be nominated at such primary and the political parties entitled to participate therein. Such notices shall be posted at least fifteen (15) days prior to the primary by the same authorities

and in the same manner as notices of election under the general election laws are required to be posted.

§ 13. JUDGES OF PRIMARY.] The judges of general elections for State and county officers, for city and village officers and for town and other municipal officers, are hereby constituted respectively the judges of primary elections in their respective precincts, under the provisions of this Act.

§ 14. JUDGES HOLD OVER.] It is hereby made the duty of the respective judges of general elections to act as judges of primary elections in their respective precincts until their successors, as judges of general elections, are duly appointed and qualified.

§ 15. JUDGES ABSENT, ETC. — VACANCIES.] If, at the time for opening of a primary, one of the primary judges be absent, or refuse to act, the judges present shall appoint some qualified primary elector of the precinct to act in his place. If two of the primary judges be absent or refuse to act, the judges present shall fill the vacancies in the same manner, as above provided. If all three of the primary judges be absent, or refuse to act, the primary electors present, who reside in the precinct, shall select three of their number to act as primary judges. The judges so selected and appointed shall take the same oath, have the same powers, and perform the same duties and be subject to the same penalties as regularly constituted election judges.

§ 16. CLERKS OF PRIMARY.] The primary judges in each precinct, except in cities having a board of election commissioners, shall select three qualified primary electors of said precinct to act as primary clerks, who shall continue to serve during the pleasure of said primary judges but no more than two persons of the same political party shall be chosen primary clerks in the same precinct.

In cities having a board of election commissioners, the regularly appointed clerks of election shall act as clerks of the primary in their respective precincts.

§ 17. OATH OF JUDGES AND CLERKS—FORM—LIABILITY.] Previous to any vote being taken, the primary judges and clerks shall severally subscribe and take an oath or affirmation in the following form, to wit:

“I do solemnly swear (or affirm, as the case may be), that I will support the Constitution of the United States and the Constitution of the State of Illinois, and will faithfully and honestly discharge the duties of primary judge (or clerk, as the case may be), according to the best of my ability, and that I have resided in this State for one year, in this county for ninety days, and in this precinct thirty days next preceding this primary, and am entitled to vote at this primary.”

All persons subscribing the oath as aforesaid, and all persons actually serving as primary judges and clerks, whether sworn or not, shall be deemed

to be and are hereby declared to be officers of the county court of their respective counties; and such persons shall be liable to punishment by such court in a proceeding for contempt for any misbehavior as such primary judges or clerks, to be tried in open court, on oral testimony in a summary manner, without written pleadings, but such trial, or punishment for contempt of court, shall not be any bar to any criminal proceedings against such primary judges or clerks for any violation of this Act.

§ 18. OATH OF JUDGES AND CLERKS—ADMINISTRATIONS.] In case there shall be no justice of the peace or notary public present at the opening of a primary, or in case such justice of the peace or notary public shall be appointed one of the primary judges or clerks, it shall be lawful for the primary judges to administer the oath or affirmation to each other and to the primary clerks.

§ 19. JUDGES AND CLERKS — POWERS AND DUTIES.] The primary judges and clerks, except as otherwise provided in this Act, shall perform the same duties, have the same powers, and be subject to the same penalties as judges and clerks of general elections, under the election laws of this State.

§ 20. JUDGES AND CLERKS—PAY.] Primary judges and clerks shall receive the same pay, and shall be paid by the same authorities and in the same manner as judges and clerks under the election laws of this State.

§ 21. CHALLENGERS.] The candidate or candidates of each party may appoint, in writing, over his or their signature, two party agents or representatives, who shall act as challengers or watchers for such respective candidate or candidates in each precinct. Such challengers or watchers shall be protected in the discharge of their duties by the primary judges and peace officers and shall be permitted to remain within the polling place in such position as will enable them to see each person as he offers his vote, and said challengers or watchers may remain within the polling place throughout the canvass of the vote in such position as will enable them to see the said canvass and until the returns are signed. All challengers or watchers shall be qualified primary electors residing within their respective wards, senatorial or congressional districts, and shall have the same power as challengers at general elections. [As amended May 27, 1912.

§ 22. BOOTHS — ELECTIONEERING PROHIBITED.] All officers upon whom is imposed by law the duty of designating and providing polling places for general elections, shall provide in each such polling place so designated and provided, a sufficient number of booths for such primary election, which booths shall be provided with shelves, such supplies and pencils as will enable the voter to prepare his ballot for voting and in which voters may prepare their ballots screened from all observation as to the manner in which

they do so, and the guard rail shall be so constructed and placed that only such persons as are inside said rail can approach within six feet of the ballot box and of such voting booths. The arrangement shall be such that the voting booths can only be reached by passing within said rail. Such booths shall be within plain view of the election officers and both they and the ballot boxes shall be within plain view of those outside the guard rail. No person other than the election officers and the challengers allowed by law and those admitted for the purpose of voting, as hereinafter provided, shall be permitted within the guard rail, except by authority of the primary officers to keep order and enforce the law.

The number of such voting booths shall not be less than one to every seventy-five voters or fraction thereof, who voted at the last preceding election in the precinct or election district.

No person whatever shall do any electioneering or soliciting of votes on primary day within any polling place or within one hundred feet of any polling place.

§ 23. BALLOT BOXES.] Primary ballot boxes shall be furnished by the same authorities and in the same manner and shall be of the same style and description as ballot boxes furnished for the purpose of general elections, under the general election laws of this State.

§ 24. SUPPLIES.] All necessary primary poll books, tally sheets, return blanks, stationery and other necessary primary supplies shall be furnished by the same authorities upon whom is imposed by law the duty of furnishing such supplies at general elections.

§ 25. EXPENSES.] The expense of conducting such primary, including the per diem of judges and clerks, furnishing, warming, lighting and maintaining the polling place, and all other expenses necessarily incurred in the preparation for or conducting such primary shall be paid in the same manner, and by the same authorities or officers respectively as in the case of elections.

§ 26. POLL BOOKS — FORM — CERTIFICATES.] The primary poll books shall be substantially in the following form:

PRIMARY POLL BOOKS.

Of the primary held in the.....
precinct of the county of.....on
the.....day of.....A. D....

Name of voter.	Residence, street and number.	Party affiliation.			
		Republican.	Democrat.	Prohibitionist.	Socialist.
1. John Jones		X			
2. Richard Smith			X		
3. John Doe				X	
4. Richard Doe					X
5. Charles Lee					X

This is to certify that the above and foregoing is a correct list of primary

voters at a primary held on the.....
day of.....A. D....., in
the.....precinct, in.....county
and State of Illinois. That at said
primary the undersigned judges and
clerks served as required by law and
are entitled to pay therefor.

Dated.....19....

.....
.....
.....

Clerks of Primary. Judges of Primary.

Said primary poll books shall other-
wise be in form and shall contain the
same certificates as nearly as may be
as the poll books used in the regular
election and shall be signed and at-
tested in the same manner, as nearly
as may be, as the poll books used for
the purpose of regular elections.

§ 27. TALLY SHEETS — FORM.] The
tally sheets for each political party
participating in the primary election
shall be substantially in the following
form:

“Tally sheets for....(name of polit-
ical party) for the.....precinct, in
the county of....., for a primary
held on the.....day of.....,
A. D.....”

The names of candidates for nomi-
nation and for State central commit-
teemen, and precinct or ward com-
mitteemen, and delegate and alternate
delegate to National nominating con-
ventions, shall be placed on the tally
sheets of each political party by the
primary clerks in the order in which

they appear on the ballot. [As amended June 30, 1913.

§ 28. PETITION — FORM — REVOCATION — FORGERY — NUMBER OF SIGNERS.] The name of no candidate for nomination, or State central committeemen, or ward committeeman, or candidate for delegate or alternate delegate to National nominating conventions, shall be printed upon the primary ballot unless a petition for nomination shall have been filed in his behalf as provided in this Act in substantially the following form:

We, the undersigned, members of and affiliated with the.....party and qualified primary electors of saidparty, in the.....of....., in the county of.....and State of Illinois, do hereby petition that the following named person or persons shall be a candidate or candidates of the.....party for the nomination for the office or offices hereinafter specified, to be voted for at the primary election held on the.....day ofA. D.....

Name.	Office.	Address.
John Jones	Governor	Belvidere, Ill.
Thomas Smith	Attorney General.....	Oakland, Ill.

Name Address
STATE OF ILLINOIS, {
.....County, { ss.

I,, do hereby certify that I am upwards of the age of twenty-

one years, that I reside at No.....
street, in the.....of.....
county of.....and State of Illinois,
and that the signatures on this sheet
were signed in my presence, and are
genuine, and that to the best of my
knowledge and belief the persons so
signing were at the time of signing
said petitions qualified voters of the
.....party, and that their respec-
tive residences are correctly stated, as
above set forth.

.....
.....
Subscribed and sworn to before me
this.....day of....., A. D.....
.....
.....

Such petitions shall consist of sheets
of uniform size, and each sheet shall
contain above the space for signatures
an appropriate heading giving the
information as to name of candidate
or candidates, in whose behalf such
petition is signed, the office, the polit-
ical party represented, place of resi-
dence, and such other information or
wording as required to make the same
valid; and the heading of each sheet
shall be the same. Such petition shall
be signed by qualified primary electors
residing in the political division for
which the nomination is sought in
their own proper persons only, and
opposite the signature of each signer,
his residence address shall be written
(and if a resident of a city having a
population of over 10,000 by the then
last preceding federal census, the

street number of such residence shall be given). At the bottom of each sheet of such petition shall be added a statement, signed by an adult resident of the political division for which the candidate is seeking a nomination, stating his residence address (and if a resident of a city having a population of over 10,000 by the then last preceding federal census, also stating the street and number of such residence) certifying that the signatures on that sheet of said petition were signed in his presence, and are genuine, and that to the best of his knowledge and belief the persons so signing were at the time of signing said petitions qualified voters of the political party for which a nomination is sought. Such statement shall be sworn to before some officer of the county in which the person making such statement resides, authorized to administer the oaths therein. Such sheets before being filed, shall be neatly fastened together in book form, by placing the sheets in a pile and fastening them together at one edge in a secure and suitable manner, and the sheets shall then be numbered consecutively. The sheets shall not be fastened by pasting them together end to end, so as to form a continuous strip or roll. Said petition, when filed, shall not be withdrawn or added to, and no signatures shall be revoked except by revocation filed in writing with the clerk or other proper officer with whom the petition is required to be filed, and before the filing of such

petition. Whoever, in making the sworn statement above prescribed, shall knowingly, wilfully, and corruptly swear falsely, shall be deemed guilty of perjury, and on conviction thereof, shall be punished accordingly. Whoever forges the name of a signer upon any petition required by this Act, shall be deemed guilty of a forgery, and on conviction thereof, shall be punished accordingly.

Petitions of candidates for nominations for offices herein specified, to be filed with the same officer, may contain the names of two or more candidates of the same political party for the same or different offices.

Such petitions for nominations shall be signed:

(a) STATE OFFICE.] If for a State office, by not less than one thousand (1,000) nor more than two thousand (2,000) primary electors of his party.

(b) CONGRESSIONAL OFFICE.] If for a congressional office, by at least one-half of one per cent of the qualified primary electors of his party in his congressional district, as the case may be.

(c) JUDICIAL OFFICE.] If for a judicial office, by at least one-half of one per cent of the qualified primary electors of his party in the district or division for which the nomination is made.

(d) COUNTY OFFICE.] If for a county office, by at least one-half of one per cent of the qualified electors of his party cast at the last preceding gen-

eral election in his county: *Provided*, that if for the nomination for county commissioner of Cook county, then by at least one-half of one per cent of the qualified primary electors of his party in his county in the district or division in which such person is a candidate for nomination.

(e) CITY OR VILLAGE OFFICE.] If for a city or village office to be filled by the electors of the entire city or village, by at least one-half of one per cent of the qualified primary electors of his party in his city or village; if for alderman, by at least one-half of one per cent of the voters of his party of his ward.

(f) STATE CENTRAL COMMITTEEMEN.] If for State Central Committeeman, by at least one hundred (100) of the primary electors of his party of his congressional district.

(g) TRUSTEE OF SANITARY DISTRICT.] If for a candidate for trustee of a sanitary district, by at least one-half of one per cent of the primary electors of his party, from such sanitary district.

(h) CLERK OF APPELLATE COURT.] If for a candidate for clerk of the appellate court, by at least one-half of one per cent of the primary electors of his party of the district.

(i) WARD COMMITTEEMAN.] If for a candidate for ward committeeman, by at least one-half of one per cent of the primary electors of his party of his ward.

(j) OTHER OFFICES.] If for any other office, by at least ten (10) primary electors of his party of the district or division for which nomination is made. [As amended June 30, 1913.

§ 29. PRESIDENT—U. S. SENATOR—PETITION—ADVISORY VOTE.] Any candidate for President of the United States may have his name printed upon the primary ballot of his political party by filing in the office of the Secretary of State not less than forty (40) days prior to the date of the April primary, in any year, a petition signed by not less than three thousand (3,000) nor more than five thousand (5,000) primary electors, members of and affiliated with the party of which he is a candidate, and no candidate for President of the United States, who fails to comply with the provisions of this Act shall have his name printed upon any primary ballot: *Provided*, that the vote for President of the United States, as herein provided for, shall be for the sole purpose of securing an expression of the sentiment and will of the party voters with respect to candidates for nomination for said office, and the vote of the State at large shall be taken and considered as advisory to the delegates and alternates at large to the National conventions of the respective political parties, and the vote of the respective congressional districts shall be taken and considered as advisory to the delegates and alternates of said congressional districts to the National

conventions of the respective political parties. [As amended June 30, 1913.*

§ 30. PETITION — FILING — WITHDRAWAL.] All petitions for nominations shall be filed as follows:

1. STATE OR DISTRICT OFFICE.] Where the nomination is to be made for a State, congressional, judicial or appellate court office, or for any office a nomination for which is made a territorial division or district which comprises more than one county or is partly in one county and partly in another county or counties, then such petition for nomination shall be filed in the office of the Secretary of State not more than sixty (60) and not less than forty (40) days prior to the date of the primary.

2. COUNTY OFFICE — SANITARY TRUSTEES—EXCEPTION.] Where the nomination is to be made for a county office, trustee of a sanitary district (except clerk of the appellate court of the first district) or ward committeeman, then such petition shall be filed in the office of the county clerk not more than sixty (60) nor less than forty (40) days prior to the date of the primary.

3. CITY OR VILLAGE OFFICE.] Where the nomination is to be made for an office to be filled by the electors of an

* NOTE.—Two acts were passed by the Forty-eighth General Assembly, amending Section 29 of the General Primary Law. The above section was contained in House Bill No. 834. See Laws of 1913, p. 310. The other amendment will be found on page 79. The Attorney General in an opinion given the Secretary of State, holds that this, the Act last approved, shall govern.

entire city or village, including aldermen, such petitions for nomination shall be filed in the office of the city or village clerk not more than thirty (30) nor less than twenty (20) days prior to the date of the primary.

4. TOWN OFFICE.] Where the nomination is to be made for an office to be filled by the electors of a town, then such petition for nomination shall be filed in the office of the town clerk not more than thirty (30) and not less than twenty (20) days prior to the date of the primary.

5. STATE CENTRAL COMMITTEEMAN.] The petitions for candidates for State central committeemen shall be filed in the office of the Secretary of State not more than sixty (60) and not less than forty (40) days prior to the date of the primary.

6. FILING AND ENDORSING OF PETITION.] The Secretary of State and the various clerks with whom such petitions for nominations are filed shall endorse thereon the day and hour on which each petition was filed.

7. WITHDRAWALS.] Any person for whom a petition for nomination for committeeman has been filed may cause his name to be withdrawn by his request in writing, signed by him and duly acknowledged before an officer qualified to take acknowledgments of deeds, and filed in the office of the Secretary of State not less than thirty-five (35) days or with the proper clerk not less than twenty (20) days prior to the date of the primary, and no names so withdrawn shall be certified

by the Secretary of State to the county clerk or printed on the primary ballot.

8. DELEGATE OR ALTERNATE TO NATIONAL CONVENTION — STATEMENT — DISAVOWAL.] Each person seeking to be elected as delegate or alternate delegate to the National nominating convention of his party shall file, along with his nominating petition, a statement in writing signed by him in which he shall state the name of the candidate of his choice for nomination for President of the United States, or, in lieu thereof, may file a statement to the effect that he has no preference for candidates for President of the United States. The Secretary of State shall not permit a petition of a candidate for delegate or alternate delegate to the National nominating convention to be filed unless accompanied by the statement required in paragraph 8 of this section. Any candidate for President of the United States for whom a preference is stated by any candidate for delegate or alternate delegate to a nominating convention, may, at any time after the filing of such petition and before the name of such candidate for delegate or alternate delegate to a National nominating convention is certified to the various county clerks for printing, file in the office of the Secretary of State an instrument in writing disavowing the candidacy of the person who has so filed a nominating petition for delegate or alternate delegate to a National nominating convention and in case such candidate for

President of the United States shall disavow the candidacy of the candidate for delegate or alternate delegate, as aforesaid, the name of such candidate for delegate or alternate delegate so disavowed shall not be certified to the various county clerks for printing upon the official primary ballot. [As amended June 30, 1913.

§ 31. CERTIFICATION TO COUNTY CLERK—ROTATION OF NAMES FOR STATE OFFICES—PREFERENCE FOR PRESIDENT—CERTIFICATION TO BOARDS OF ELECTION COMMISSIONERS.] Not less than thirty (30) days prior to the date of the primary the Secretary of State shall certify to the county clerk of each county the names of all candidates for President of the United States, and of all candidates for members of the State central committee and of all candidates for delegates and alternate delegates to National nominating conventions, and of all candidates for nomination for all offices, as specified in the petition for nomination on file in his office, which are to be voted for in such county, stating in such certificates the political affiliation of each candidates for nomination or for committeemen, as specified in said petition.

The Secretary of State shall, in his certificate to the county clerk, certify to said county clerk the names of the offices and the names of the candidates in the order in which said offices and said names (except the names of candidates for State officers)

shall appear upon the primary ballot, said names (except the names of candidates for State offices) to appear in the order in which petitions shall have been filed in his office, except as otherwise provided in this Act.

The names of candidates for State offices shall be certified in the manner following: The Secretary of State shall certify to the county clerk of each county of each and every senatorial district, beginning with the first senatorial district, the names of candidates for State offices in the order in which such names shall appear upon the official primary ballot, in each and every precinct of such senatorial district. In making his certificate to the county clerk of the county or counties in which the first senatorial district is located, the Secretary of State shall certify to such county clerk or county clerks the names of the offices, and the names of the candidates for said offices in alphabetical order of the first letters of the surname of such candidate. In certifying the names of candidates for State offices to the county clerk or county clerks of the counties composing the second senatorial district, the Secretary of State shall certify the name of the candidate under each office as first which was second in the first senatorial district, and the name of the candidate which was first in the first senatorial district shall be certified as last in the second senatorial district. In certifying the names of candidates for State offices to

the county clerk or county clerks of the counties composing the third senatorial district, the Secretary of State shall certify the name of the candidate under each office as first which was second in the second senatorial district, and the name of the candidate which was first in the second senatorial district shall be certified as last in the third senatorial district. The same procedure shall be followed by the Secretary of State in certifying the names of candidates for State offices to the several county clerks of the several senatorial districts of the State, the intent being that the names of candidates for such [each] of the State offices shall be rotated by senatorial districts.

In his certificate to the county clerk, the Secretary of State shall, below the name of each candidate for delegate and alternate delegate to National nominating conventions, insert the name of the candidate for President of the United States for whom such delegate or alternate delegate has specified his choice in accordance with his statement on file in the office of the Secretary of State, or, in case such candidate for delegate or alternate delegate has not indicated any choice, or preference, the Secretary of State, in his certificate, under the name of such candidate for delegate or alternate delegate shall print the words "No preference."

Not less than twenty-eight (28) days prior to the date of the primary,

the county clerk shall certify to the board of election commissioners, if there be any such board in his county, the names of all candidates so certified to him by the Secretary of State, together with the list of the names of all other candidates in whose behalf petitions have been filed in his office and in the order so filed. And not less than twenty-eight (28) days prior to the date of the primary the city or town clerk, as the case may be, shall also certify to such board the names of all candidates in whose behalf petitions have been filed in the office of such city clerk or town clerk, as the case may be, and in the order so filed. [As amended June 30, 1913.]

§ 32. BALLOTS—BY WHOM PRINTED.] The county clerk of each county and in cities, villages and towns, the clerk thereof, as the case may be, shall prepare and cause to be printed the primary ballot of each political party for each precinct in his respective county, city, village or town.

§ 33. BALLOTS—NAMES PRINTED ON.] It is hereby made the duty of the county clerk of each county to cause to be printed upon the primary ballot of each party for each precinct in his county the name of each candidate whose petition for nomination has been filed in the office of the county clerk as herein provided, and also the name of each candidate whose name has been certified to his office by the Secretary of State, "and in the order so certified."

It shall be the duty of the city or village or town clerk, as the case may be, to cause to be printed upon the primary ballot of each political party for each precinct in his city, village or town, as the case may be, the name of each candidate whose petition for nomination has been filed in his office, as herein provided and which is to be voted for in such precinct.

§ 34. BALLOTS — COLOR — SIZE, ETC.] The primary ballot of each political party shall be separately printed upon paper of uniform quality, texture and size, but the primary ballot of no two political parties shall be of the same color or tint.

The clerk, whose duty it shall be to cause to be printed the primary ballot, shall, at least fifteen (15) days prior to the date of the primary, post in a conspicuous place in his office an announcement of the color of the primary ballot of the respective parties, and, in the case of the county clerk, shall also publish such announcement for at least one (1) week in at least three (3) newspapers of general circulation in the county. In the case of the city clerk, such publication shall be made at least one (1) week in three (3) newspapers printed and published in the city, if there be three newspapers printed and published in said city.

§ 35. BALLOTS — FORM.] The primary ballot of each political party for each precinct shall be arranged and printed substantially in the manner following:

1. DESIGNATING WORDS.] At the top of the ballot shall be printed in large capital letters, words designating the ballot—if a Republican ballot, the designating words shall be: “REPUBLICAN PRIMARY BALLOT;” if a Democratic ballot the designating words shall be: “DEMOCRATIC PRIMARY BALLOT;” and in like manner for each political party.

2. ORDER OF NAMES — DIRECTIONS TO VOTERS, ETC.] Beginning not less than one inch below designating words, the name of each office to be filled shall be printed in capital letters and in the following order, to wit: President of the United States, State offices, congressional offices, judicial offices, clerks of the appellate courts, members of the State central committee, trustees of sanitary districts, county offices, city and village offices, town offices, or of such of the said offices as candidates are to be nominated for at such primary, and ward committeemen.

Below the name of each office shall be printed in small letters the directions to voters: “Vote for one;” “Vote for two;” “Vote for three;” or a spelled number designating how many persons under that head are to be voted for.

Below the name of each office shall be printed in capital letters the names of all candidates, arranged in the order in which their petitions for nomination were filed, except as otherwise provided in section 33 of this Act, for the nomination for said offices which

are entitled to be placed upon the respective party primary ballot. Below the name of each candidate for delegate and alternate delegate to National nominating conventions shall [be] print[ed] the name of the candidate for President of the United States for whom such delegate or alternate delegate has expressed a preference, or if no choice has been expressed shall be printed the words "No preference." The names of all candidates upon the primary ballot shall be printed in a column. Immediately opposite and in front of the name of each candidate shall be printed a square and all squares upon the primary ballot shall be of uniform size. Spaces between the names of candidates under each office shall be uniform and sufficient spaces shall separate the names of candidates for one office from the names of candidates for another office, to avoid confusion.

(3) PRECINCT COMMITTEEMAN—EXCEPTION.] At the bottom of the primary ballot and under the heading "For precinct committeeman," a space sufficiently large shall be left in which the primary electors may write or attach the name of one primary elector of his party in the precinct as his choice for precinct committeeman. No square need be placed in front of the name of the person voted for precinct committeeman: *Provided, however,* the provisions of this sub-section three (3) of section 35, shall not apply to precincts within the territorial limits

of an incorporated city or village having a population of two hundred thousand (200,000) or over. [As amended June 30, 1913.

§ 36. BALLOTS — ENDORSEMENTS.] On the back or outside of the primary ballot of each precinct, so as to appear when folded, shall be printed the words "Primary Ballot," followed by designation of said precinct, the date of the primary and a facsimile of the signature of the clerk who furnished the ballots.

§ 37. SPECIMEN BALLOTS.] The officer whose duty it shall be to cause the printing of the primary ballots shall, not less than five (5) days prior to the primary, transmit or cause to be delivered to the primary judges, specimen ballots of each political party, substantially in the form of the official primary ballots, to be used at the primary, which specimen ballot shall be printed upon paper of a different texture and color from the official primary ballot, and it shall be the duty of the primary judges to post not less than five (5) of each such specimen ballots in the precinct, one of each such specimen ballots to be posted at the polling place.

§ 38. BALLOTS—DELIVERY TO JUDGES.] The officer so charged with the printing of primary ballots shall cause to be delivered to the primary judges of each precinct not less than twelve (12) hours before the time fixed for the opening of the polls, the official primary ballot of each political

party, and the number thereof for each political party in each precinct shall be one hundred (100) for each fifty (50) votes cast in said precinct by said political party at the last preceding election.

§ 39. BALLOTS—RECEIPTS FOR.] The official primary ballots shall be put in separate sealed packages with marks on the outside thereof clearly designating the precinct for which they are intended, and the number of ballots enclosed for each political party and a receipt therefor shall be given by the primary judge to whom such ballots are delivered, which receipt shall be filed by the proper clerk in his office.

§ 40. EXTRA BALLOTS.] The officer so charged with the printing of primary ballots shall provide and retain in his office until after the primary an ample supply of extra primary ballots for each political party in each precinct and if at any time before or during the primary, ballots of any precinct shall be lost, destroyed or exhausted, on written application signed by the primary judges of said precinct, or any of them, he shall immediately cause to be delivered to said primary judges such supply of extra ballots as may be required to comply with the provisions of this Act.

§ 41. POLLS—OPENING AND CLOSING.] Upon the opening of the polls one of the primary judges shall make proclamation of the same. And at least thirty (30) minutes before the clos-

ing of the polls proclamation shall be made in like manner that the polls will be closed in half an hour.

§ 42. BALLOT BOX—CARE AND CUSTODY.] Before voting begins, the ballot box shall be emptied and it shall be opened and shown to those present to be emptied, after which it shall be locked and the key delivered to one of the primary judges, and such ballot box shall not be removed from public view from the time it is shown to be empty until after the close of the polls.

§ 43. QUALIFICATION OF VOTERS — WOMEN.] Every person having resided in this State one year, in the county ninety days, and in the precinct thirty days next preceding any primary therein, who was an elector in this State on the first day of April in the year of our Lord 1848, or obtained a certificate of naturalization before any court of record in this State prior to the first day of January, in the year of our Lord 1870, or who shall be a male citizen of the United States above the age of twenty-one years, shall be entitled to vote at such primary: *Provided, however,* that all women citizens of the United States above the age of twenty-one years having resided in the State one year, in the county ninety days, and in the election district thirty days, next preceding any primary election held therein, may vote at such primary for the nomination of candidates for such offices as such women may vote for at the election for which such primary is held.

Separate ballot boxes and ballots shall be provided for women, which ballots shall contain the names of candidates for nomination for such offices which are to be voted for.

The following regulations shall be applicable to primaries:

No person shall be entitled to vote at a primary:

(a) DECLARATION OF PARTY AFFILIATION.] Unless he declares his party affiliations as required by this Act;

(b) PETITIONER OF ANOTHER PARTY.] Who shall have signed the petition for nomination of a candidate of any party with which he does not affiliate, when such candidate is to be voted for at the primary;

(c) INDEPENDENT PETITIONER.] Who shall have signed the nominating papers of an independent candidate for any office for which office candidates for nomination are to be voted for at such primary; or

(d) VOTE AT PRIMARY OF ANOTHER PARTY — EXCEPTION—REGISTRATION—ERASURE OF NAME—HEARING ON APPEAL.] If he shall have voted at a primary held under this Act of another political party within a period of two years next preceding such primary: *Provided*, participation by a primary elector in a primary of a political party which, under the provisions of section 2 of this Act, is a political party within a city only and entitled hereunder to make nominations of candidates for city offices only, and for no other office or offices, shall not dis-

qualify such primary elector from participating in other primaries of this [his] party: *And, provided*, that no qualified voter shall be precluded from participating in the primary of any purely city, village or town political party under the provisions of section 2 of this Act, by reason of such voter having voted within two years at the primary of another political party.

In cities having a board of election commissioners, the following additional regulations shall be applicable: In such cities only voters, registered as herein provided, shall be entitled to vote at such primary. The registration books prepared for and used at the election then next preceding shall be used for the primary, and any person therein registered shall be entitled to vote at the primary unless he shall have removed from the election precinct or become otherwise disqualified. In any such city having a population of less than 200,000 any person whose name does not appear on the registry books who is, or shall, at or before the primary, become a primary elector of the precinct in which he desires to vote, shall be entitled to vote at such primary by filing, or causing to be filed with the board of election commissioners, twenty days prior to a primary, an affidavit, or affirmation, specifying the facts showing that on the date of such primary he will be a legally qualified primary elector in the precinct in which he desires to vote.

Such affidavit, or affirmation for registration, shall state the name of the applicant, the place and date of his nativity, the term of his residence at his then present address, in the precinct, county, state and United States, the fact of his naturalization, if the applicant is a naturalized citizen, specifying the court, if known, or if not known, the city in which the court was held where such citizen was naturalized, and the residence when last registered, if the applicant was previously registered. It shall be the duty of the board of election commissioners to prepare proper forms of such affidavit, or affirmation.

Upon the filing of such affidavit, or affirmation, the board of election commissioners shall place the name of such primary elector in the original registration books for the proper precinct, specifying the precinct from which he is transferred, if previously registered in another precinct, and shall also make a minute opposite his name in the original registration books of the precinct from which he was [has] removed, showing the precinct to which his name is transferred, or, as the case may be, shall add the name of such primary elector in the original registration books for the proper precinct and the reason of the registration thereof.

At least five days prior to the date of the primary, the board of election commissioners shall cause to be posted at each polling place in each precinct,

in a book substantially in the form now used for "verification lists" under the general election laws of this State, the name and address of each primary elector who has been registered for the primary by having filed an affidavit, or affirmation, as above set forth.

In any such city having a population of 200,000 or more, and in any incorporated town, under the jurisdiction of such board of election commissioners the said registration books shall be revised three weeks preceding such primaries under the direction of said board of election commissioners in the same manner as is now provided by law for intermediate registration in cities having boards of election commissioners, *provided*, that when an intermediate registration and revision is now provided for by law to be held within thirty days prior to such primary election then such intermediate registration and revision shall be the registration and revision for such primary election.

Any primary elector of a precinct may, on the eleventh and twelfth days immediately preceding the primary, file with the board of election commissioners an application, signed and sworn to by him, requesting the name of a person registered on the registration books as herein provided, shall be erased therefrom, for the reason that such person so registered is not, or will not on or before the date of the primary, be a legal primary elector of the precinct, which application shall

be in substance, in the words and figures following:

"I,, do hereby solemnly swear (or affirm) that I am informed and believe that.....is not a qualified voter in the.....precinct of the.....ward of the city (village or town) of.....and that said.....will not be a qualified voter of such precinct and ward on the.....day of.....A. D...., and hence ask that his name be erased from the registers of such precinct."

Notice of such application with a demand to appear and show cause why such name should not be erased, shall thereupon be given to such person by the board of election commissioners. Such notice shall be served upon such person personally, or left at the place of residence named in such registration books, and a copy thereof shall be sent by mail, postage prepaid, at least two days before the day fixed, to show cause, addressed to the person whose right to vote is challenged, at the address given in such registration books. In case personal service can not be had, the return of the board of election commissioners shall so state and the reason therefor.

On Monday, Tuesday and Wednesday next preceding the primary, the board of election commissioners shall sit to hear such application by wards and precincts in the numerical order. At the request of either party, subpoenas shall be issued, and witnesses may be sworn and heard upon such

hearing. Each person appearing in response to an application to erase a name shall subscribe and swear to an answer in the presence of a member of the board of election commissioners, substantially in the following form:

"I,, do solemnly swear that I am a citizen of the United States; that I have resided in the State of Illinois since the.....day of.....A. D...., and in the county [of]....., said State, since theday of....., A. D...., and in the.....precinct of theward, in the city of..... said county and State, since theday of.....A. D....; and that I am.....years of age; that I am the identical person registered in said precinct for the primary under the name I subscribe hereto."

Such answer shall be filed with the board of election commissioners.

The decision on each application shall be announced at once after hearing, and where such application is allowed, such name shall be erased forthwith.

The county court of the county in which such city is situated shall on Friday and Saturday of the week prior to the week in which such primary is to be held, especially sit to hear such application as may be made to it by persons whose names have been stricken from the registry list as above provided. Such application shall be sworn to and shall state that the board of election commissioners has

stricken such name from the registry list. Such application shall be heard summarily and evidence may be introduced for or against such application. Each case shall be decided at once on hearing, and the clerk of the court shall make a minute of the disposition of each application. A copy of such minute shall at once be given to such board of election commissioners, and, when such minute indicates that the name of the applicant shall be restored to the registry, the board of election commissioners shall forthwith cause such name to be placed upon the appropriate register, and indicate that it was entered by order of the court.

In case such County Court shall refuse such application, an order shall be entered accordingly on the Monday following the session of the court held for the purpose aforesaid, and any person desiring to appeal from the said order may appeal to the Supreme Court of the State, if the application be made therefor within five days after the entry of said court, and such appeal shall be allowed on the giving of an appeal bond in the penalty of \$250.00, conditioned to pay the expenses of such appeal. The time for filing such appeal bond and certificate of evidence shall be fixed by the court, and upon presentation to the court of a certificate containing the evidence heard at such hearing, within the time fixed by the court, the court shall sign the same, and thereupon the same shall

become part of the record in said cause.

The original registration books, revised as herein provided, shall constitute the primary registration. [As amended by Act approved January 24, 1916.

§ 44. VOTER—PARTY AFFILIATION, ETC.]

Any person desiring to vote at a primary shall state his name, residence and party affiliation to the primary judges, one of whom shall thereupon announce the same in a distinct tone of voice, sufficiently loud to be heard by all persons in the polling place. If the person desiring to vote is not challenged, one of the primary judges shall give to him one, and only one, primary ballot of the political party with which he declares himself affiliated, on the back of which such primary judge shall endorse his initials in such manner that they may be seen when the primary ballot is properly folded. If the person desiring to vote is challenged he shall not receive a primary ballot from the primary judges until he shall have established his right to vote as hereinafter provided. No person who refuses to state his party affiliation shall be allowed to vote at a primary.

§ 45. CHALLENGED VOTER—AFFIDAVITS.]

Whenever a person offering to vote at a primary is challenged, the person so challenged shall make and subscribe an affidavit in the following form, which shall be presented to and retained by the primary judges and

clerks and returned by them with the primary poll book:

State of.....)
County of.....) ss.

I,, do solemnly swear (or affirm) that I am a citizen of the United States, of the age of twenty-one years or over, and am qualified to vote under and by virtue of the Constitution and laws of the State of Illinois, and am a legally qualified voter of this precinct, that I now reside at(insert street and number, if any) in this precinct, and am a member of and affiliated with theparty; that I have not voted at a primary of another political party within a period of two years prior to this date; and that I voted at thecity, village or town primary, with the.....political party at theelection held in.....A. D....which said.....political party was entitled at said primary to make nominations of candidates for city, village or town offices only, and for no other offices, and that the name or names of no candidate or candidates of the.....political party (the political party with which the primary elector declares himself affiliated) were, at such city, village or town primary, printed on the primary ballot; that I have not signed the petition for nomination of a candidate of a political party with which I am not affiliated, and that I have not signed the nominating papers of an inde-

pendent candidate for any office for which office candidates for nomination are voted for at this primary.

Subscribed and sworn to before me, this.....day of..... A. D.....

.....
Judge of Primary.

In addition to such affidavit the person so challenged shall produce the affidavit of one householder of the precinct, who shall be a qualified voter at such primary, and who shall be personally known or proved to the judges to be a householder in the precinct, which affidavit shall be in the following form:

State of Illinois, {
County of..... } ss.

I.....do solemnly swear (or affirm) that I am a householder of this precinct and entitled to vote at this primary; that I am acquainted with.....(name of the party challenged), whose right to vote at the primary has been challenged; that I know him to be an actual *bona fide* resident of this precinct and that he has resided herein thirty days, and I verily believe he has resided in this county ninety days, and in this State one year next preceding this primary; that I verily believe he is a member of and affiliated with the..... party.

Subscribed and sworn to before me, this.....day of.....A. D. 19... ..

Judge of Primary.

§ 46. BALLOT—HOW MARKED.] On receiving from the primary judges a primary ballot of his party, the primary elector shall forthwith and without leaving the polling place, retire alone to one of the voting booths and prepare such primary ballot by marking a cross (X) in the square in front of and opposite the name of each candidate of his choice for each office to be filled. At the primary at which a precinct committeeman is to be elected the primary elector may write or attach at the bottom of his primary ballot, in the space provided for that purpose, the name of one primary elector of his precinct, member of and affiliated with his political party, for precinct committeeman. No other mark or designation shall be necessary to indicate the primary elector's choice for preecinct committeeman.

Any primary elector may, instead of voting for any candidate for nomination or for committeeman whose name is printed on the primary ballot, write in the name of any other person affiliated with such party as a candidate for the nomination for any office, or for committeeman, and indicate his choice of such candidate or committeeman by placing to the left of and opposite the name thus written a square and by placing in the square a cross (X). And at the primary at which precinct committeemen are to be elected he shall write at the bottom of his primary ballot, in the space provided for that purpose, the name of one primary elector of his precinct,

member of and affiliated with his political party, for precinct committeeman. No squares need be placed in front of the names of persons so voted for, for precinct committeemen.

§ 47. BALLOT — HOW VOTED.] Before leaving the booth, the primary elector shall fold his primary ballot in such manner as to conceal the marks thereon. Such voter shall then vote forthwith by handing the primary judge the primary ballot received by such voter. Thereupon the primary judge shall deposit such primary ballot in the ballot box. The primary clerk shall thereupon enter in the primary poll book the name of the primary elector, his residence and his party affiliation.

§ 48. ASSISTANCE TO VOTER.] Any primary elector who may declare upon oath that he cannot read the English language, or that by reason of any physical disability he is unable to mark his ballot shall, upon request, be assisted in marking his primary ballot in the same manner as provided by the general election laws of this State.

§ 49. NO ADJOURNMENT OR RECESS.] After the opening of the polls at a primary no adjournment shall be had nor recess taken until the canvass of all the votes is completed and the returns carefully enveloped and sealed.

§ 50. CANVASS AT POLLING PLACE.] The votes shall be canvassed in the room or place where the primary is held and the primary judges shall not allow the ballot box or any of the ballots, or the primary poll book, or any

of the tally sheets to be removed or carried away from such room or polling place until the canvass of the votes is completed and the returns carefully enveloped and sealed.

§ 51. BALLOTS — DEFECTIVE, OBJECTED TO, SPOILED, ETC.] If the primary elector marks more names upon the primary ballot than there are persons to be nominated as candidates for an office, or for State central committeemen, precinct or ward committeemen, or delegate or alternate delegate to National nominating conventions, or if for any reason it is impossible to determine the primary elector's choice of a candidate for the nomination for an office, or committeeman, or delegate or alternate delegate to National nominating conventions, his primary ballot shall not be counted for the nomination for such office or committeeman, or delegate or alternate delegate to National nominating conventions.

No primary ballot, without the endorsement of the judge's initials thereon, shall be counted. Any judge wilfully omitting to endorse his initials on a primary ballot, as required by this Act, shall be guilty of a misdemeanor and punishable by a fine not exceeding one hundred dollars for each offense.

Primary ballots not counted shall be marked "defective" on the back thereof; and primary ballots to which objections have been made by either of the primary judges or challengers shall be marked "objected to" on the

back thereof; and a memorandum, signed by the primary judges, stating how it was counted, shall be written on the back of each primary ballot so marked; and all primary ballots marked "defective" or "objected to" shall be enclosed in an envelope and securely sealed, and so marked and endorsed as to clearly disclose its contents.

All primary ballots not voted, and all that have been spoiled by voters while attempting to vote, shall be returned to the proper clerk, by the primary judges, and a receipt taken therefor, and shall be preserved three months. Such official shall keep a record of the number of primary ballots delivered for each polling place, and he or they shall also enter upon such record the number and character of primary ballots returned, with the time when and the person by whom they are returned. [As amended June 30, 1913.

§ 52. CANVASS OF BALLOTS.] Immediately upon closing the polls, the primary judges shall proceed to canvass the votes in the manner following:

(1) They shall separate and count the ballots of each political party;

(2) They shall then proceed to ascertain the number of names entered on the primary poll books under each party affiliation;

(3) If the primary ballots of any political party exceed in number the names of voters of such political party entered on the primary poll books, the primary ballots of such political party

shall be folded and replaced in the ballot box, the box closed, well shaken and again opened and one of the primary judges, who shall be blindfolded, shall draw out and destroy so many of the primary ballots of such political party as shall be equal to such excess;

(4) The primary judges shall then proceed to count the primary ballots of each political party separately; and as the primary judges shall open and read the primary ballots, each primary clerk shall carefully and correctly mark upon the tally sheets the votes which each candidate of the party whose name is written or printed on the primary ballot has received, in a separate column for that purpose, with the name of such candidate, the name of his political party and the name of the office for which he is a candidate for nomination at the head of such column.

§ 53. CANVASS OF BALLOTS—FORM OF CERTIFICATE.] As soon as the ballots of a political party shall have been read and the votes of said political party counted, as provided in the last above section, the primary clerks shall foot up the tally sheets so as to show the total number of votes cast for each candidate of said political party and for each candidate for State central committeeman and precinct or ward committeeman, or delegate or alternate delegate to National nominating conventions, and certify the same to be correct. Thereupon, the primary judges shall set down in

the primary poll books, under the name of said political party, the name of each candidate voted for upon the primary ballot, written at full length, the name of the office for which he is a candidate for nomination or for committeeman, or delegate or alternate delegate to National nominating conventions, the total number of votes which said candidate received, and the primary poll books to be made substantially in the following form:

.....Party.
 At the primary election held in this precinct on the.....day of.....
 A. D. 19....., the respective candidates whose names were written or printed on the primary ballot of saidparty, received respectively.. the following votes:

Name of candidate.	Title of office.	No. of votes.
John Jones	Governor	100
Sam Smith	Governor	70
Frank Martin	Attorney General	150
William Preston	Representative in Congress	206
Frederick John	County Judge	59

And so on for each candidate.
 We hereby certify the above and foregoing to be true and correct.
 Dated this.....day of.....,
 A. D. 19.....

 Judges of Primary.

[As amended June 30, 1913.

§ 54. BALLOTS — STRUNG, SEALED AND ENDORSED.] After the votes of a political party have been counted and set down and the tally sheets footed and the entry made in the primary poll books, as above provided all the primary ballots of said political party, except those marked “defective” or “objected to” shall be strung upon a strong thread or twine separately for each political party in the order in which said primary ballots have been read, and shall thereupon be carefully sealed in an envelope, which envelope shall be endorsed as follows:

Primary ballots of the.....
party of the.....precinct of the
county of.....and State of Illinois.

Below each endorsement, each primary judge shall write his name.

§ 55. PRECINCT RETURNS—HOW MADE.] The primary poll books, with the certificates of the primary judges written thereon, and the tally sheets, together with the envelopes containing the ballots, shall be carefully enveloped and sealed up together, properly endorsed and put into the hands of the primary judges who shall within forty-eight (48) hours thereafter, deliver the same to the clerk from whom the primary ballots were obtained, which clerk shall safely keep the same for three (3) months.

§ 56. CANVASS OF RETURNS.] As soon as complete returns are delivered to the proper clerk, the returns shall be canvassed as follows:

1. CITY OFFICERS.] In the case of the nomination of candidates for city offices, by the mayor, the city attorney and the city clerk.

2. VILLAGE OFFICERS.] In the case of nomination of candidates for village offices, by the president of the board of trustees, one member of the board of trustees, and the village clerk.

3. COUNTY CANVASSING BOARD.] The officers who are charged by law with the duty of canvassing returns of general elections made to the county clerk, shall also open and canvass the returns of a primary made to such county clerk. Upon the completion of the canvass of the returns by the county canvassing board, said canvassing board shall make a tabulated statement of the returns for each political party separately, stating in appropriate columns and under proper headings, the total number of votes cast in said county for each candidate for nomination by said party, including candidates for President of the United States and for State central committeemen, and for delegate and alternate delegate to National nominating conventions. Within two (2) days after the completion of said canvass by said canvassing board the county clerk shall mail to the Secretary of State a certified copy of such tabulated statement of returns: *Provided, however,* that the number of votes cast for the nomination for offices, the

certificate of election for which offices, under the general election laws are issued by the county clerk shall not be included in such certified copy of said tabulated statement of returns.

4. STATE CANVASSING BOARD.] In the case of the nomination of candidates for offices, including President of the United States and State central committeeman, and delegates and alternate delegates to National nominating conventions, certified tabulated statement of returns for which are filed with the Secretary of State, said returns shall be canvassed by the Governor, Secretary of State and State Treasurer: *And, provided, further,* that within five (5) days after said returns shall be canvassed by the said State Primary Canvassing Board, the Secretary of State shall cause to be published in one daily newspaper of general circulation at the seat of the State government in Springfield a certified statement of the returns filed in his office, showing the total vote cast in the State for each candidate of each political party for President of the United States, and showing the total vote for each candidate of each political party for President of the United States, cast in each of the several congressional districts in the State, and stating the names of the delegates and alternate delegates to National nominating conventions for each political party.

5. ELECTION COMMISSIONERS.] Where, in cities or villages which have a board

of election commissioners, the returns of a primary are made to such board of election commissioners, said returns shall be canvassed by such board, and, excepting in the case of the nomination of candidate for any city or town office in such city, tabulated statements of the returns of such primary shall be made to the county clerk. [As amended June 30, 1913.

§ 57. CERTIFICATES OF NOMINATION AND ELECTION.] Each of said canvassing boards, respectively, shall, upon completion of the canvassing of the returns, make proclamation of the result of said primary for each political party, and shall make and execute a certificate, and unless a notice of contest shall have been filed with said canvassing board ten (10) days after completion of the canvass, shall file such certificates in the office of the Secretary of State, or in the office of the clerk whose duty it is to print the official ballot for the election for which the nomination is made, as the case may be, stating therein the name of each candidate of each political party so nominated or elected, as shown by the returns, together with the name of the office for which he was nominated or elected, including ward committeemen, and including in the case of the State primary canvassing board, candidates for State central committeemen, and delegates and alternate delegates to National nominating conventions. In case of delegates and alternate delegates to National nomi-

nating conventions such certificates shall show the name of the candidate for President of the United States, for whom such delegates or alternate delegates have expressed their choice as disclosed from their statements in writing on file in the office of the Secretary of State. In case a notice of contest shall be filed with any canvassing board, such canvassing board shall withhold its certificate until a certified copy of the decree or order of the court hearing such contest shall have been filed with such canvassing board. The said canvassing board shall, within one (1) day after receiving a certified copy of said decree or order, proceed to finish the canvass of the returns as corrected by such decree and make proclamation accordingly.

Upon the filing of said certificate in the office of the Secretary of State, or in the office of the proper clerk, as the case may be, the Secretary of State, or the proper clerk, as the case may be, shall within one (1) day thereafter, issue a certificate of nomination to each of the candidates so proclaimed nominated.

The Secretary of State shall also issue a certificate of election to each of the persons shown by the returns and the proclamation thereof to be elected State central committeeman, and delegates and alternate delegates to National nominating conventions. [As amended June 30, 1913.

§ 58. PLURALITY NOMINATIONS. TIE VOTE.] The person receiving the high-

est number of votes at a primary as a candidate of a party for the nomination for an office, shall be the candidate of that party for such office and his name as such candidate shall be placed on the official ballot at the election then next ensuing: *Provided*, that where there are two or more persons to be nominated for the same office or board, the requisite number of persons receiving the highest number of votes shall be nominated and their names shall be placed on the official ballot at the following election.

In the case of candidates for nomination for members of the board of assessors, where five are to be elected, four of whom are to be elected from any one city and the city has the requisite number, then the candidate for nomination living outside of such city having the highest number of votes of his party shall be nominated, and his name shall be placed on the official ballot at the following election.

The person receiving the highest number of votes of his party for State central committeeman of his congressional district shall be declared elected State central committeeman from said congressional district.

The requisite number of persons receiving the highest number of votes of their party for delegates and alternate delegates to National nominating conventions as disclosed from the certificate of the State central committee of such political party on file in the office of the Secretary of State shall be declared elected delegates and alternate

delegates to the National nominating convention of their party.

The person receiving the highest number of votes of his party for ward committeeman of his ward shall be declared elected ward committeeman from said ward.

When two or more persons receive an equal and the highest number of votes for the nomination for the same office or for committeeman of the same political party, or where more than one person of the same political party is to be nominated as a candidate for office or committeeman, if it appears that more than the number of persons to be nominated for an office or elected committeeman have the highest and an equal number of votes for the nomination for the same office or for election as committeeman, the board by which the returns of the primary are canvassed shall decide by lot which of such persons shall be nominated or elected, as the case may be. In such case such canvassing board shall issue notice in writing to such persons of such tie vote, stating therein the place, the day (which shall not be more than five (5) days thereafter), and the hour when such nomination or election shall be so determined. [As amended June 30, 1913.

§ 59. BALLOT FOR GENERAL ELECTION.] When the nomination is made for an office to be filled by the electors of an entire county, and where it is the duty of the county clerk to prepare the official ballot for election, it shall be the duty of the county clerk, under

this Act, to place upon the official ballot to be voted at the election the names of all candidates nominated for office, as herein provided, as shown by the certificate of the canvassing board on file in his office, and the names of all candidates certified to him by the Secretary of State as herein provided.

When the nomination is made for an office to be filled by the electors of an entire city or village, including alderman, and where it is the duty of the city or village clerk to prepare the official ballot for the election, it shall be the duty of the city or village clerk, under this Act, to place upon the official ballot to be voted at the election the names of all candidates nominated for office, as herein provided, as shown by the certificate of the canvassing board on file in his office.

When the nomination is made for an office to be filled by the electors of an entire town, and where it is the duty of the town clerk to prepare the official ballot for the election, it shall be the duty of the town clerk, under this Act, to place upon the official ballot to be voted at the election, the names of all candidates, nominated for office, as herein provided, as shown by the certificate of the canvassing board on file in his office.

Not less than fifteen (15) days before an election to fill any office, the Secretary of State shall certify to the county clerk of each county within which any of the electors may, by law, vote for such candidates for such offices, the name and description of each

person nominated for such office, as shown by the certificate of the canvassing board on file in his office.

§ 60. SPECIAL ELECTIONS—FILLING VACANCIES.] Whenever a special election shall be necessary, the provisions of this Act shall be applicable to the nomination of candidates to be voted for at such special election. The officer or board or commission whose duty it is, under the general election laws of this State, to call an election, shall fix a date for the primary for the nomination of candidates to be voted for at such special election. At least fifteen (15) days' notice shall be given of such primary.

In case a candidate who has been nominated under the provisions of this Act shall die before election, or decline the nomination, or should the nomination for any other reason become vacant, the managing committee of the respective political parties for the territorial area in which such vacancy occurs, shall nominate a candidate or candidates of the respective parties to fill such vacancies on the ticket.

§ 61. BOARD OF ELECTION COMMISSIONERS—DUTIES.] In cities having a board of election commissioners the duties herein imposed upon the county, city or village clerk, as the case may be, shall be discharged by the board of election commissioners, in the same manner, as near as may be, and to the same extent and with like effect that the similar duties imposed by this Act are discharged by the county, city or village clerk, as the case may be; and

the ballots for the nomination of all candidates to be voted for in such city shall be printed by the board of election commissioners and the returns of the primary held in such city shall be made to such board of election commissioners.

§ 62. CONTESTS — JURISDICTION — PROCEEDINGS.] Any candidate whose name appears upon the primary ballot of any political party in any precinct may contest the election of the candidates nominated by his political party, upon the face of the returns, if he so desires, and may, in said county or any of the precincts thereof as to the office for which he was a candidate, contest the election in such county or precinct by filing with the clerk of the county court, except in the case of candidates for the nomination for State and congressional offices and for the office of county judge, a petition in writing, setting forth the grounds of contest, which petition shall be verified by the affidavit of the petitioner or other person, and which petition shall be filed within five (5) days after the completion of the canvass of the returns. The contestant shall also file with the canvassing board, which canvasses the returns for such nomination (and if for the nomination for an office, certified tabulated statements of the returns of which are to be filed with the Secretary of State), also with the county canvassing board, a notice of the pendency of the contest. In the case of a contest

for the nomination for State and congressional offices and for the office of county judge, said petition shall be filed in the office of the clerk of the circuit court.

Authority and jurisdiction are hereby vested in the county court or in the judge thereof in vacation, or in the circuit court or in the judges thereof in vacation, as the case may be, to hear and determine primary contests. When a petition to contest a primary shall be filed in the office of the clerk of the court, said petition shall forthwith be presented to the judge thereof, who shall note thereon the date of presentation, and shall also note thereon the day when he will hear the same, which shall not be more than five (5) days thereafter, and shall order issuance of summons to each defendant named in the petition.

Summons shall forthwith issue to each defendant named in the petition and shall be served in the same manner as is provided in cases in chancery. Summons may be issued and served in any county in the State. The case may be heard and determined by the county or circuit court in term time, or by the judges thereof in vacation, at any time not less than three (3) days after service of process, and shall have preference in the order of hearing to all other cases. The petitioner shall give security for all costs.

If, in the opinion of the court in which the petition is filed, the grounds

for contest alleged are insufficient in law, the petition shall be dismissed. If the grounds alleged are sufficient in law, the court shall proceed in a summary manner and may hear evidence, examine the returns, recount the ballots and make such orders and enter such judgment as justice may require. The court shall ascertain and declare by a decree, as in chancery to be entered of record in the proper court, the result of such election in the territorial area for which the contest is made. The judgment of the court shall be final. A certified copy of said decree shall forthwith be made by the clerk of the court and transmitted to the board canvassing the returns for such office; and in case of contest, if for nomination for an office, tabulated statements of returns for which are filed with the Secretary of State, also in the office of the county clerk in the proper county. The proper canvassing board, or boards as the case may be, shall correct the returns or the tabulated statement of returns in accordance with said decree. [As amended June 30, 1913.]

§ 63. INDEPENDENT CANDIDATES.] Nothing in this Act contained shall be construed to prevent the nomination of independent candidates by petition, as is now or may hereafter be provided by law.

§ 64. LIQUOR—PENALTY.] No spirituous, malt, vinous or intoxicating liquor shall be sold or given away, nor shall any saloon, bar room or place where such liquor is sold or given away be

open during the holding of any primary. Whoever violates the provisions of this section shall be fined in a sum not less than twenty-five (25) nor more than one hundred (100) dollars. It shall be the duty of the sheriff, constable, coroner, and any other officers of the county, the magistrates and mayors of cities to see that the provisions of this section are enforced.

§ 65. FALSE SWEARING DEEMED PERJURY.] If any person whose vote is challenged, or any witness sworn under the provisions of this Act, shall knowingly, wilfully and corruptly swear falsely, he shall be deemed guilty of perjury and on conviction thereof shall be punished accordingly.

§ 66. ILLEGAL VOTING—BRIBERY, ETC.—PENALTY.] (1) Whoever unlawfully votes more than once at any primary or offers to vote after having once voted at such primary, or knowing that he is not a qualified elector at a primary, wilfully votes at such primary, shall, on conviction thereof, be fined in a sum not exceeding one thousand (1,000) dollars, or imprisoned in the county jail not exceeding one (1) year, or both, in the discretion of the court.

(2) Whoever wilfully aids or abets any one not legally qualified to vote at a primary in voting or attempting to vote at such primary; or,

(3) By unlawful means prevents or attempts to prevent any primary elector from attending or voting at a primary; or

i. (4) Gives or offers to give any valu-
a. able thing or bribe to any judge or
r. clerk of a primary, as a consideration
s. of some act to be done or omitted to
be done contrary to his official duty
in relation to such primary, shall, on
conviction thereof, be fined in a sum
not exceeding one thousand (1,000)
dollars, or imprisoned in the county
jail not exceeding one (1) year, or
both, in the discretion of the court;
any judge or clerk who shall receive,
request or demand any bribe or re-
ward, forbidden by this Act, shall, on
conviction, be liable to the same pen-
alties as prescribed in this Act for
giving or offering to give such bribe
or reward.

§ 67. BRIBERY DEFINED — PROSECUTION
—PENALTY.] (1) Any person who shall
solicit, request, demand or receive, di-
rectly or indirectly, any money, intoxi-
cating liquor or other thing of value or
his promise thereof, either to influence
his vote, or to be used, or under the
pretense of being used to procure the
vote of any other person or persons or
to be used at any poll or other place
prior to or on the day of a primary for
or against any candidate for office, or
for or against any measure or ques-
tions to be voted upon at such primary,
shall be deemed guilty of the infamous
crime of bribery in primaries, and
upon conviction thereof in any court
of record, shall be sentenced to dis-
franchisement by the judge of such
court for a term of not less than five
and not more than fifteen years, and
to the county jail not less than three

months or more than one year, and to pay the cost of prosecution and stand committed to the county jail until such costs are fully paid. That for a conviction of a second offense under this section, the first being alleged and proven, such offender shall be by sentence of the court forever thereafter disfranchised and deprived of the right to vote at a primary in this State, and be imprisoned in the county jail not less than one year, and be committed to jail in default of the payment of costs of prosecution until such costs are fully paid. Prosecutions may be had under this section by indictment in the circuit court, or by information in the county courts, and the effect of a sentence of disfranchisement in either of said courts, both having jurisdiction of offenses hereunder, shall be to deprive such persons sentenced to [of] the right to vote at any primary within this State for a period of time fixed by the court where such person shall be convicted under this section. Any candidate or other person paying, furnishing or promising to pay or furnish, or bribing such person with money, intoxicating liquor or any other thing of value, or the promise thereof, shall not be liable to punishment therefor, but shall be a competent witness and compelled to testify in prosecutions under this section. Solicitations of any person, or a loan of money or the purchase of anything of value, or any other subterfuge shall be deemed a violation thereof.

(2) Any person who shall have been legally convicted and disfranchised by a court of competent jurisdiction, who shall, before the expiration of his term of disfranchisement, vote or offer to vote at any primary within this State shall, upon indictment and conviction thereof in a court of competent jurisdiction, be confined in the penitentiary for a term of years not less than one nor more than ten years.

§ 68. DISORDERLY CONDUCT — PENALTY.] Whoever is disorderly at a primary shall forfeit a sum not exceeding twenty-five (25) dollars.

§ 69. WAGERS — PENALTY.] Whoever bets or wagers any money, property or other valuable thing upon the result of the primary, or bets or wagers money, property or other valuable thing upon the number of votes which may be given to any person at a primary, or shall receive the greatest number of votes at a primary, or agrees to pay any other person any money, property or other valuable thing in the event that a primary shall result in one way, or in the event that any person shall or shall not be nominated or shall receive a greater number of votes than others, upon conviction thereof shall be fined in a sum not exceeding one thousand (1,000) dollars, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

§ 70. OFFENSES OF JUDGE—PENALTY.]

(1) If any judge of a primary shall permit a person to vote whose vote is

challenged, without the proof required in this Act; or,

(2) Shall knowingly and wilfully permit a person to testify as a witness contrary to the provisions of this Act; or,

(3) Shall knowingly permit a person to vote who is not qualified according to law; or,

(4) Shall knowingly receive and count more than one vote from the same person at the same primary for the same office, except as allowed by law; or,

(5) Shall refuse to receive the vote of a qualified primary elector at such primary, who will make the affidavit of and proof required by this Act; or,

(6) Shall be guilty of any fraud, corruption or manifest misbehavior; or,

(7) Shall open or unfold any ballot when the same is presented to be deposited in the ballot box; or,

(8) Shall wilfully neglect to perform any of the duties required of him by this Act; shall, on conviction thereof, be fined in a sum not exceeding one thousand (1,000) dollars, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

§ 71. DISCLOSING HOW ELECTOR VOTED —PENALTY.] If any person wilfully or corruptly ascertains, publishes or reveals how a primary elector voted at a primary, he shall, on conviction thereof be fined in any sum not exceeding one thousand (1,000) dollars, or im-

prisoned in the county jail not exceeding one year, or both, in the discretion of the court.

§ 72. OFFENSES OF CLERK—PENALTY.] If any clerk of a primary shall wilfully neglect to perform any duty required of him as primary clerk, or shall be guilty of fraud, corruption or misbehavior, he shall, on conviction thereof, be fined in a sum not exceeding five hundred (500) dollars, or imprisoned in the county jail not exceeding six months, or both, in the discretion of the court.

§ 73. FAILURE TO DELIVER RETURNS, ETC.—PENALTY.] If any judge, clerk or messenger, after having been deputed by the primary judges to carry the primary poll books, tally sheets and returns of such election to the place where by law they are required to be canvassed, wilfully or negligently fails to deliver such primary poll books, tally sheets or returns within a time prescribed by law, with the seal unbroken, he shall, upon conviction thereof, be fined in a sum not exceeding five hundred (500) dollars or imprisoned in the county jail not exceeding six months, or both, in the discretion of the court.

§ 74. NEGLIGENCE OR REFUSAL OF CLERK—PENALTY.] If any county, city or town clerk wilfully refuses to perform any duty required of him by this Act, he shall, upon conviction thereof, be fined in a sum not exceeding five hundred (500) dollars and shall be liable to the person injured by reason of such neglect or refusal in an amount not

exceeding five hundred (500) dollars, to be recovered in an action on the case.

§ 75. OFFENSES IN CANVASSING RETURNS—PENALTY.] If any person whose duty it is to canvass the returns or make a tabulated statement thereof, shall be guilty of fraud, corruption or misbehavior in not canvassing the returns or making a tabulated statement thereof, he shall, upon conviction, be fined in any sum not exceeding five hundred (500) dollars or be imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

§ 76. STEALING OR DEFACING RETURNS—PENALTY.] Whoever shall wilfully and wrongfully take or carry away from the place where it has been deposited for safe keeping, or deface, mutilate or change any primary poll book, tally sheet or ballot, or any name or figure therein, shall, upon conviction thereof, be fined in a sum not exceeding one thousand (1,000) dollars or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

§ 77. FALSE ENTRIES, ETC.—PENALTY.] Any person or member of a board or any primary judge, clerk or other officer who is guilty of stealing, wilfully and wrongfully breaking, destroying, mutilating, defacing, falsifying, or unlawfully moving or secreting or detaining the whole or any part of any ballot box, or any record, primary poll book, tally sheet, or copy thereof, oath, returns, or any other paper or docu-

ment provided for in this Act, or who shall fraudulently make any entry, erasure or alteration therein, except as allowed and directed by the provisions of this Act, or who permits any other person so to do shall, upon conviction thereof, be fined in a sum not exceeding one thousand (1,000) dollars, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

§ 78. OTHER VIOLATIONS — PENALTY.]

If any person shall commit any act prohibited herein or refrain from doing any act or duty required to be done herein, and if any person shall in any manner be guilty of a violation of this Act, whether the same is denominated an offense or not, and for which no punishment is herein specially provided, such person shall, upon conviction thereof, be fined in a sum not less than twenty-five (25) nor more than one hundred (100) dollars, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

§ 79. REPEAL.] An Act entitled "An Act to regulate primary elections of voluntary political associations and to punish frauds therein," approved June 6, 1889, in force July 1, 1889; an Act entitled "An Act providing for primary elections of delegates to nominating conventions of political parties or associations, and to provide for the purity thereof," approved April 24, 1899, in force July 1, 1899; an Act entitled "An Act providing for primary elections of delegates to nominating con-

ventions of political parties or associations and to promote the purity thereof by regulating the conduct thereof and to support the privileges of free suffrage thereat by prohibiting certain acts and practices in relation thereto and providing for the punishment thereof," approved and in force February 10, 1898, as amended by an Act approved May 11, 1901, in force July 1, 1901; "An Act to provide for the holding of primary elections by political parties," approved February 21, 1908, in force July 1, 1908, and all other Acts and part of Acts inconsistent with this Act are hereby repealed.

§ 80. INVALIDITY.] That the invalidity of any portion of this Act shall not affect the validity of any other portion hereof, which can be given effect without such invalid part.

PRIMARY ELECTIONS — GENERAL
ACT OF 1910, PRESIDENT AND
U. S. SENATOR.

§ 1. Amends Section 29, Act of 1910.

§ 29. As amended, changes time of filing petitions and number of signers and omits advisory vote on U. S. Senator.

(Senate Bill No. 373. Approved June 27, 1913.)

AN ACT to amend section 29 of an Act entitled, "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, as amended by an Act approved and in force March 30, 1912.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 29 of an Act entitled, "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, as amended by an Act approved and in force March 30, 1912, be amended to read as follows:

§ 29. Any candidate for President of the United States or for United States Senator may have his name printed upon the primary ballot of his political party by filing in the office of the Secretary of State not more than sixty

(60) and not less than thirty (30) days prior to the date of the April primary, in any year, a petition signed by not less than one thousand (1,000) nor more than two thousand (2,000) primary electors of the party of which he is a candidate, and no candidate for President of the United States nor for United States Senator, who fails to comply with the provisions of this Act, shall have his name printed upon any primary ballot: *Provided*, that the vote for President of the United States as herein provided shall be for the sole purpose of securing an expression of the sentiment and will of the party voters with respect to candidates for nomination for said office and the vote of the State at large shall be taken and considered as advisory to the delegates and alternates at large to the National conventions of the respective political parties; and the vote of the respective congressional districts shall be taken and considered as advisory to the delegates and alternates of said congressional districts to the National conventions of the respective political parties.*

* Note.—Two acts were passed by the Forty-eighth General Assembly, amending Section 29 of the General Primary Law. The above Section is contained in Senate Bill No. 373, Laws of 1913, Page 330. The other amendment will be found on page 28. The Attorney General in an opinion addressed to the Secretary of State, holds that the Act last approved will govern, to-wit: Section 29, found in the general Act, approved June 30, 1913.

LEGISLATIVE PRIMARY ELECTION LAW.

AN ACT *to provide for the holding of primary elections by political parties for the nomination of members of the General Assembly and the election of senatorial committeemen.* [Approved March 9, 1910. As amended and in force July 1, 1913.]

SECTION 1. NOMINATIONS FOR MEMBERS OF GENERAL ASSEMBLY—SENATORIAL COMMITTEEMEN.] *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* The nomination of all candidates for members of the General Assembly by all political parties, and the election of senatorial committeemen, as defined in section 2 of this Act shall be made in the manner provided in this Act and not otherwise.

The name of no person nominated by a party required hereunder to make nominations of candidates for members of the General Assembly shall be placed upon the official ballot to be voted at the election to be held the first Tuesday after the first Monday in the month of November, A. D. 1910, as a candidate unless such person

shall have been nominated for such office under the provisions of this Act, and all nominations made prior to July 1, A. D. 1910, of candidates for such office to be voted for at said election are hereby declared of no effect, and no nomination for any such office made prior to July 1, A. D. 1910, shall entitle any person so nominated to have his name placed upon the official ballot to be voted at said election.

§ 2. POLITICAL PARTY DEFINED.] The term "political party" as used in this Act shall mean a political party which, at the next preceding election for Governor polled at least two per cent of the entire vote cast in the State.

§ 3. WORDS AND PHRASES.] The following words and phrases in this Act shall, unless the same be inconsistent with the context, be construed as follows:

(1) The words "senatorial office" or "senatorial officer," State Senator and Representatives in the General Assembly.

§ 4. DATE OF PRIMARY.] A primary shall be held on the first Wednesday after the second Tuesday in September, in the year A. D. 1914, and every two years thereafter for the nomination of candidates for senatorial officers and for the election of senatorial committeemen.

Whenever, in this Act, the term, "April primary" or equivalent words shall appear such term or such words

shall be construed to refer to and include the primary to be held on the first Wednesday after the second Tuesday in September. [As amended June 27, 1913.

§ 5. SENATORIAL COMMITTEE — HOW ELECTED.] There shall be constituted a senatorial committee for each senatorial district: *Provided, however,* that nothing herein contained shall prevent a political party from electing or appointing in accordance with its practice any other committees.

The senatorial committee of each political party shall be elected as follows:

(a) In senatorial districts comprised of three or more counties, the senatorial committee shall be composed of one member elected from each county of such senatorial district.

At the September primary held in the year A. D. 1910, and at the April primary held every two years thereafter, each primary elector may vote for one candidate of his party residing in his county for members [member] of the senatorial committee of his party.

(b) In senatorial districts comprised of two counties, the senatorial committee shall be composed of three members, two of whom shall be elected from the county in which such political party at the general election for State and county officers then next preceding a primary polled the larger number of votes in such senatorial district, and one of whom shall be

elected from the other county of such senatorial district.

At the September primary held in the year A. D. 1910, and at the April primary held every two years thereafter, each primary elector, residing in a county in which such political party at the general election for State and county officers then next preceding a primary polled the larger number of votes in such senatorial district, may vote for two candidates of his party, residing in his county, for members of the senatorial committee of his party (and at such primary in the other county of such senatorial district, each primary elector may vote for one candidate of his party) residing in his county for member of the senatorial committee of his party.

(c) In senatorial districts composed of one county, and in senatorial districts wholly within the territorial limits of one county, or partly within the territorial limits of one county, and partly within the territorial limits of another county, the senatorial committee shall be composed of three members elected from such senatorial district.

At the September primary held in the year A. D. 1910, and at the April primary held every two years thereafter, each primary elector may vote for three candidates of his party, residing in such senatorial district, for members of the senatorial committee of his party.

Within thirty days after its election, the senatorial committee shall meet

and proceed to organize by electing from among its own number a chairman, and either from its own number or otherwise, such other officers as said committee may deem necessary or expedient. The outgoing chairman of the senatorial committee of the party shall notify the members elected of the time and place (which shall be in the limits of such senatorial district) of such meeting.

§ 6. EXISTING PARTY COMMITTEES RECOGNIZED — PETITION — NUMBER OF SIGNERS.] The various political party committees now in existence are hereby recognized and shall exercise the powers and perform the duties herein prescribed until committeemen are chosen, in accordance with the provisions of this Act. The name of no candidate for nomination or senatorial committeeman shall be printed upon the primary ballot unless a petition for nomination shall have been filed in his behalf as herein provided.

All petitions for nomination shall be signed as follows:

(a) If for a senatorial office, by at least one-half of one per cent of the qualified primary electors of his party in his senatorial district.

(b) If for senatorial committeemen, by at least ten of the primary electors of his party of the county where the senatorial district is co-extensive with one county or is composed of more than one county; but in case the senatorial district is wholly within the territorial limits of one county, or

partly within the territorial limits of one county and partly within the territorial limits of another county, then such petition shall be signed by at least ten (10) of the primary electors of his party of his senatorial district.

In determining the total numbers [number] of names necessary to constitute a valid petition for a candidate for nomination for a senatorial office as required by this section, the test shall be one-half of one per cent of the total vote cast by his party for Governor in the senatorial district at the election for Governor then next preceding the primary.

§ 7. FILING OF PETITIONS — WITHDRAWALS.] All petitions for nominations shall be filed as follows:

(1) Where the nomination is made for a senatorial office such petition for nomination shall be filed in the office of the Secretary of State, not more than sixty (60) and not less than forty (40) days prior to the date of the primary.

(2) The petitions of candidates for senatorial committeemen shall be filed in the office of the county clerk not more than sixty (60) and not less than forty (40) days prior to the date of the primary.

(3) The Secretary of State and the various clerks with whom such petitions for nomination are filed shall endorse thereon the day and hour on which each petition was filed.

(4) Any person for whom a petition for nomination or for senatorial com-

mitteeman has been filed may cause his name to be withdrawn in writing, signed by him, duly acknowledged before an officer qualified to take acknowledgments of deeds and filed in the office of the Secretary of State, not less than thirty-five (35) or with the proper clerk not less than thirty-five (35) days prior to the day of the primary and no names so withdrawn shall be certified by the Secretary of State to the county clerk or printed on the primary ballot. [As amended June 27, 1913.

§ 8. CERTIFICATION TO COUNTY CLERK AND ELECTION COMMISSIONERS.] Not less than thirty (30) days prior to the date of the primary, the Secretary of State shall certify to the county clerk of each county the names of all candidates for senatorial offices as specified in the petitions for nominations on file in his office, which are to be voted for in such county, stating in such certificates the political affiliations of each candidate for nomination as specified in said petition. The Secretary of State shall, in his certificate to the county clerk, certify to said county clerk the names of the candidates in the order in which said names shall appear upon the primary ballot, said names to appear in the order in which petitions shall have been filed in the office of the Secretary of State, except as otherwise provided in this Act.

Not less than twenty-eight days (28) prior to the date of the primary, the

county clerk shall certify to the board of election commissioners, if there be any such board in his county, the names of all candidates so certified to him by the Secretary of State, together with the names of all candidates for senatorial committeemen in the districts wholly or partly within the jurisdiction of said board and in the order in which such names are certified to him, or in which petitions are filed in his office. [As amended June 27, 1913.

§ 9. BALLOTS — BY WHOM PRINTED — NAMES.] The county clerk of each county or the Board of Election Commissioners, as the case may be, shall prepare and cause to be printed the primary ballot of each political party for each precinct in his respective county and the names of all candidates provided in this Act which are certified to the office of the county clerk by the Secretary of State and of all candidates for senatorial committeeman whose petitions have been filed in said office shall be placed on the same ballot as candidates for other offices for nominations, to be voted for at the same primary election, properly arranged, however, under the name of each office. Below the name of the office of Representative in the General Assembly shall be printed in small letters the directions to the voters, "vote for one, two or three."

§ 10. NAMES ON BALLOT—ORDER.] The Secretary of State shall in his certificate to the county clerk certify to said

county clerk the position which the names of candidates for senatorial officers [offices] shall occupy upon the primary ballot with reference to the position of candidates for other offices. The names of the candidates for senatorial committeemen shall, under the proper heading, be placed on the primary ballot immediately after the names of the candidates for senatorial offices, in the order in which their petitions were filed in the office of the county clerk.

§ 11. REPRESENTATIVES IN GENERAL ASSEMBLY—NUMBER—HOW VOTED FOR.] At least thirty-three (33) days prior to the date of the April primary the senatorial committee of each political party shall meet and, by resolution fix and determine the number of candidates to be nominated by their party at the primary for Representative in the General Assembly. A copy of said resolution, duly certified by the chairman and attested by the secretary of the committee, shall within five days thereafter be filed in the office of the Secretary of State, and in the office of the county clerk of each county in the senatorial district.

In all primaries for the nomination of candidates for Representatives in the General Assembly each qualified primary elector may cast three votes for one candidate or may distribute the same or equal parts thereof among two candidates or three candidates as he shall see fit. And the said candidate or candidates for nomination

highest in votes shall be declared nominated for the office to be filled.

§ 12. CANVASS OF VOTES — HOW COUNTED.] The votes for the nomination of candidates for Representative in the General Assembly shall be canvassed in the following manner.

(1) When a cross is placed in the squares preceding the names of three (3) candidates and the ballot for Representative in the General Assembly is not otherwise marked it shall be counted as one vote for each candidate.

(2) When a cross is placed in the squares preceding the names of two candidates, and the ballot for Representative in the General Assembly is not otherwise marked, it shall be counted as one and one-half ($1\frac{1}{2}$) votes for each of such candidates.

(3) When a cross is placed in the square preceding the name of one candidate, and the ballot for Representative in the General Assembly is not otherwise marked, it shall be counted as three (3) votes for such candidate.

(4) When the ballot has been so marked as to indicate the intention to cast more than three votes for the nomination of candidates for Representatives in the General Assembly, such ballot shall not be counted for any of such candidates.

The requisite number of persons receiving the highest number of votes as candidates of their party in any county, or senatorial district, as the

case may be, for senatorial committeemen, shall be declared elected senatorial committeemen from such county, or senatorial district.

If the primary elector marks more names upon the primary ballot than there are persons to be nominated as candidates for State Senator or for senatorial committeeman, or if for any reason it is impossible to determine the primary elector's choice of a candidate for the nomination for State Senator or senatorial committeeman, his primary ballot shall not be counted for the nomination for such office or committeeman.

§ 13. RETURNS OF PRIMARY—CANVASS, CERTIFICATION, TABULATION—CONTESTS.] Except as herein otherwise expressly provided, each, every and all of the provisions of any Act relating to the holding of primary elections by political parties, passed by this extraordinary session of the General Assembly, and Acts hereafter passed amendatory thereof shall, so far as the same may be applicable, apply to and govern primary elections and contests thereof held under the provisions of this Act. The returns of such primary shall be made to the county clerk or board of election commissioners, as the case may be, and shall be canvassed and certified as other returns made to the county clerk or board of election commissioners, as the case may be. The county canvassing board, or the board of election commissioners, as the case may be, shall issue a certificate of

election to the requisite number of persons of each political party shown by the returns to be elected members of the senatorial committee.

Tabulated statements of the returns of the primary for the nomination of candidates for senatorial offices shall be made to the Secretary of State, canvassed by the State Primary Canvassing Board, proclamation of the result thereof made, and certificates of nomination issued, as in the case of other tabulated statements of returns made to the Secretary of State, and the election of any person nominated or of senatorial committeemen may be contested by filing with the clerk of the circuit court a petition in writing and filing notice in writing with the proper canvassing boards as required by the Acts last referred to and the pains and penalties prescribed in the Acts last referred to shall apply to and govern all elections held under this Act. [As amended June 27, 1913.

§ 14. INDEPENDENT CANDIDATES.] Nothing in this Act contained shall be construed to prevent the nomination of independent candidates by petition, as is now or may hereafter be provided by law.

ABSENT VOTERS.

AN ACT to provide a method of voting at any special, general or primary election by electors expecting in the course of their business or duties to be absent from the county in which they are electors.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That any qualified elector of the State of Illinois having duly registered where such registration is required, who expects in the course of his business or duties to be absent from the county in which he is a qualified elector on the day of holding any special, general or primary election at which any presidential preference is indicated or any candidates are chosen or elected, for any congressional, State, district, county, town, city, village, precinct or judicial offices, or at which questions of public policy are submitted, may vote at such election as hereinafter provided.

§ 2. APPLICATION FOR BALLOT.] Any elector as defined in the foregoing section expecting to be absent from the county of his residence on the day of such election may not more than fifteen nor less than three days prior to the date of such election make appli-

cation to the county clerk or, where existing, to the board of election commissioners, or other officer or officers charged with the duty of furnishing ballots for such election in his voting precinct, for an official ballot for said precinct to be voted at such election.

§ 3. FORM OF APPLICATION.] Application for such ballot shall be made on a blank to be furnished by the county clerk or the board of election commissioners or other officer or officers charged with the duty of furnishing ballots as aforesaid, as the case may be, and shall be substantially in the following form:

AFFIDAVIT AND APPLICATION FOR BALLOT.

To be voted at the.....election in the.....precinct of the.....ward in the city or town of....., county of....., and State of Illinois.

STATE OF..... }
COUNTY OF..... } ss.

I,, do solemnly swear that I am a resident of the.....precinct of the town of....., or of the.....ward in the city of....., residing at.....in said city or town in the county of....., and State of Illinois, and entitled to vote in such precinct at a.....election to be held therein on.....; that my business or duties are....., and that in the course of my business or duties I expect to be absent from the said county of my residence on the date of holding such election, and that

I will have no opportunity to vote in person on that day.

I hereby make application for an official ballot or ballots to be voted by me at such election, and I agree that I shall return said ballot or ballots to the official issuing the same in sufficient time for such official to deliver said ballot or ballots to the proper polling place prior to the closing of the polls on the date of the election.

.....
Post office address to which ballot is to be mailed:

.....
Subscribed and sworn to by....., who is personally known to me before me this.....day of.....
A. D.....

.....
.....
Official Capacity.
(Penalty clause set out in full)

Provided, that if application be made for a primary election ballot, such application shall designate the name of the political party with which the applicant is affiliated.

§ 4. OFFICIAL TO DELIVER OR MAIL BALLOT.] Immediately upon the receipt of such application, and not more than fifteen nor less than three days prior to such election, it shall be the duty of such county clerk or board of election commissioners or other officer or officers charged with the duty of furnishing ballots as aforesaid, as the case may be, to mail, postage prepaid, an official ballot or ballots, if more

than one are to be voted at said election, or such officer or officers shall deliver said ballot or ballots to any qualified elector applying in person at the office of such officer or officers and subscribing to the foregoing application not more than ten nor less than three secular days before said election.

§ 5. ENVELOPE FOR BALLOT.] It shall be the duty of said county clerk or board of election commissioners or other officer or officers as aforesaid to fold the ballot or ballots in the manner specified by the statute for folding ballots prior to their deposit in the ballot box, and he shall enclose such ballot or ballots in an envelope unsealed to be furnished by him, which envelope shall bear upon the face thereof the name, official title and post office address of such officer or officers, and upon the other side a printed affidavit in substantially the following form:

State of Illinois }
County of..... } ss.

I,, do solemnly swear that I am a resident of the..... precinct of the town of....., or of the.....ward in the city of, residing at.....in said city or town in the county of, and State of Illinois, and am entitled to vote in such precinct at the.....election to be held on; that my business or duties are.....; and that in the course of my business or duties I expect to be absent from the said county of my residence on the date of said election.

I further swear that I marked the enclosed ballot in secret.

.....
Subscribed and sworn to before me, an officer duly authorized under the laws of this State to administer oaths, this.....day of.....A. D., and I hereby certify that the affiant exhibited the enclosed ballot to me unmarked, and that he then in my presence and in the presence of no other person and in such manner that I could not see his vote, marked such ballot and enclosed and sealed the same in this envelope, and that the affiant was not solicited or advised by me to vote for or against any candidate or proposition.

.....
.....
Official Capacity.

Provided, that if the ballot enclosed is to be voted at a primary election the affidavit shall designate the name of the political party with which the voter is affiliated.

In addition to the above, the said officer and officers shall provide printed slips giving full instructions regarding the manner of marking and returning the ballot in order that the same may be counted, and shall furnish one of said printed slips to each of said applicants at the same time the ballot is delivered to him.

§ 6. AFFIDAVITS, MARKING AND RETURNING BALLOT.] Such absent voter shall make and subscribe to the affidavits provided for in the application

and on the return envelope for said ballot before an officer authorized by law to administer oaths and such voter shall exhibit the ballot to such officer unmarked, and shall thereupon in the presence of such officer and of no other person mark such ballot or ballots, but in such manner that such officer can not know how such ballot is marked, and such ballot or ballots shall then in the presence of such officer be refolded by such voter in the manner required to be folded before depositing the same in the ballot box, and be in the presence of such officer deposited in such envelope and the envelope securely sealed. Such officer shall then endorse his certificate upon the back of said envelope and said envelope shall be mailed by such voter, postage prepaid, to the officer issuing the ballot or, if more convenient, it may be delivered in person, but in any event it must be returned into the hands of the officer in sufficient time for said ballot or ballots to be delivered by such officer to the proper polling place before the closing of the polls, on the day of the election.

§ 7. CUSTODY OF THE BALLOT.] Upon receipt of such absent voter's ballot, the officer or officers above described shall forthwith enclose the same unopened, together with the application made by said absent voter in a larger or carrier envelope which shall be securely sealed and endorsed with the name and official title of such officer and the words, "This envelope contains

an absent voter's ballot and must be opened only at the polls on election day immediately after said polls are closed," together with the number and description of the precinct in which said ballot is to be voted, and such officer shall thereafter safely keep the same in his office until delivered by him as provided in the next section.

§ 8. ENVELOPES—DELIVERY TO JUDGES OF ELECTION.] In case an absent voter's ballot is received by the said officer prior to the delivery of the official ballots to the judges of election of the precinct in which said elector resides, such ballot envelope and application, sealed in the carrier envelope, shall be enclosed in such package and therewith delivered to the judges of such precinct. In case the official ballots for such precinct have been delivered to the judges of election at the time of the receipt by the county clerk, board of election commissioners, or other officer or officers as aforesaid, of such absent voter's ballot, such officer shall immediately enclose said envelope containing the absent voter's ballot, together with his application therefor, in a larger or carrier envelope which shall be securely sealed and addressed on the face to the judges of election, giving the name or number of precinct, street and number of polling place, city or town in which such absent voter is a qualified elector, and the words, "This envelope contains an absent voter's ballot and must be opened only on election day at the

polls immediately after the polls are closed," mailing the same, postage prepaid, to such judges of election, or if more convenient, such officer may deliver such absent voter's ballot to the judges of election in person or by duly deputized agent, said officer to secure his receipt for delivery of such ballot or ballots. All absent voters ballots returned to the officer supplying the same too late to be delivered to the proper polling place before the closing of the polls on the day of election shall be endorsed by the official receiving the same with the day and hour of receipt and shall be safely kept unopened by such officer for the period of time required for the preservation of ballots used at such election, and shall then, without being opened, be destroyed in like manner as the used ballots of such election.

§ 9. OPENING ENVELOPE AND VOTING BALLOT.] At the close of the regular balloting and at the close of the polls the judges of election of each voting precinct shall proceed to cast the absent voters' ballots separately, and as each absent voter's ballot is taken shall open the outer or carrier envelope, announce the absent voter's name, and compare the signature upon the application with the signature upon the affidavit on the ballot envelope. In case the judges find the affidavits properly executed, that the signatures correspond, that the applicant is a duly qualified elector in the precinct, and that the applicant has not voted

in person at such election, they shall open the envelope containing the absent voter's ballot in such manner as not to deface or destroy the affidavit thereon, or mark or tear the ballots therein, and take out the ballot or ballots therein contained without unfolding or permitting the same to be unfolded or examined, and having endorsed the ballot in like manner as other ballots are required to be endorsed, shall deposit the same in the proper ballot box or boxes and enter the absent voter's name in the poll book the same as if he had been present and voted in person.

In case such affidavit or the certificate of the officer before whom the same is taken is found to be insufficient or that the signatures do not correspond, or that the applicant is not a duly qualified elector in such precinct or that the ballot envelope is open or has been opened and resealed, or that said voter has already voted in person at such election, such vote shall not be allowed, but without opening the absent voter's envelope the judge of such election shall mark across the face thereof, "Rejected," giving the reason therefor.

In case the ballot envelope contains more than one ballot of any kind, said ballots shall not be counted, but shall be marked "Rejected," giving the reason therefor.

The absent voters' envelopes and affidavits and the absent voters' envelope with its contents unopened,

when such absent vote is rejected, shall be retained and preserved in the manner as now provided for the retention and preservation of official ballots rejected at such election.

§ 10. CHALLENGES.] The challengers of the respective parties or candidates shall be permitted to be present during the casting of the absent voters' ballots and the vote of any absent voter may be challenged for cause the same as if he were present and voted in person, and the judges of the election or a majority thereof shall have power and authority to hear and determine the legality of such ballot; *Provided, however,* that if a challenge to any absent voter's right to vote is sustained, notice of the same must be given by the judges of election by mail addressed to the voter's place of residence.

§ 11. BALLOT OF DECEASED VOTER.] Whenever it shall be made to appear by due proof to the judges of election that any elector who has marked and forwarded his ballot as provided in this Act has died prior to the opening of the polls on the date of the election, then the ballot of such deceased voter shall be returned by the judges of election in the same manner as provided for rejected ballots above; but the casting of the ballot of a deceased voter shall not invalidate the election.

§ 12. VOTING MACHINE.] In all counties, cities, towns and precincts in which voting machines are used, all the provisions of the election laws now

in force and not inconsistent with the provisions of this Act relating to the furnishing of ballot boxes, printing and furnishing official ballots and supplies in such number as provided by law, the canvassing of the ballots and making the proper return of the result of the election, shall apply with full force and effect; *Provided, however,* that the number of ballots to be printed shall be in the discretion of the officers charged with printing and furnishing the same in said precincts, towns, cities or counties.

§ 13. PENALTY CLAUSE.] If any person shall wilfully swear falsely to any such affidavit, he shall, upon conviction thereof, be guilty of perjury and shall be punished as in such case is by law provided. If any person who, having procured an official ballot or ballots as heretofore provided, shall wilfully neglect or refuse to cast or return same in the manner heretofore provided, or shall wilfully violate any provision of this Act, he shall be guilty of a misdemeanor and shall be fined not to exceed one hundred dollars, or imprisoned in the county jail not to exceed thirty days. If any county clerk or member or clerk of the board of election commissioners or any other election officer or officers shall refuse or neglect to perform any of the duties prescribed by this Act, or shall violate any of the provisions thereof, he shall upon conviction be fined not less than one hundred dollars nor more than one thousand dollars, or imprisoned in

the county jail not to exceed ninety days.

§ 14. CONSTRUCTION OF THE STATUTE.] This Act shall be deemed to provide a method of voting in addition to the method now provided by statute, and to such extent as amendatory of existing statutes relating to the manner and method of voting.

§ 15. All Acts and parts of Acts in conflict herewith are hereby repealed.

APPROVED JUNE 22, 1917.

PROMISES OR PLEDGES BY CANDIDATES.

AN ACT *in relation to promises or pledges by candidates for elective offices.*

SECTION 1. CANDIDATES—PLEDGES AND PROMISES—PROVISO.] *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That* it shall be unlawful for any candidate, in any primary or general election, for any elective office in this State, to promise, pledge, offer to pledge or agree with any person, corporation, association or other organization, directly or indirectly, that, for and in consideration of a vote or votes, or the influence or support or assistance, financial or otherwise, of any such person, corporation, association or other organization, he will, if elected, perform or refrain from performing, as the case may be, any official act to or for the [the] benefit or advantage of such person, corporation, association or other organization, or support or oppose, as the case may be, directly or indirectly, any bill or measure pending before or to be presented to the General Assembly of this State, or the nomination, confirmation or election of any candidate for any office necessary to perfect the organization of the General Assembly of this State; *provided*, that nothing herein

contained shall be construed to prevent any candidate from making, orally or in writing, in private or public, a statement as to his view, belief, opinion or position with respect to any public question or issue.

§ 2. SOLICITATION OF PROMISE, PLEDGE OR AGREEMENT.] It shall be unlawful for any person, corporation, association or other organization to request, solicit, induce or otherwise secure or attempt to secure, directly or indirectly, from any candidate, in any primary or general election, for any elective office in this State, for and in consideration of a vote or votes or influence or support or assistance of any kind or character, any promise, pledge or agreement that such candidate, if elected, will perform or refrain from performing, as the case may be, any official act to or for the benefit or advantage of such person, corporation, association or other organization, or support or oppose, as the case may be, directly or indirectly, any bill or measure pending before or to be presented to the General Assembly of this State, or the nomination, confirmation or election of any candidate for any office necessary to perfect the organization of the General Assembly of this State: *Provided*, that nothing herein contained shall be construed to prevent any person, corporation, association or other organization from making any statement, private or public, announcing his, its or their choice of candidates for any such elective office.

§ 3. VIOLATIONS—PENALTY.] Any violation of any provision of this Act shall be punishable by a fine of not less than two hundred dollars (\$200) or more than one thousand dollars (\$1,000) or by imprisonment in the county jail for a period not exceeding sixty (60) days, or both, in the discretion of the court. Any candidate for any elective office in this State who shall violate any provision of this Act, if elected to such office, shall, in addition to any other penalty or penalties imposed for the violation of any provision of this Act, forfeit all right and claim to hold such office, and such office shall be declared vacant by the court. [Filed June 26, 1917.

PUBLICATION OF ELECTION LITERATURE.

AN ACT *to prohibit the publication and distribution of anonymous printed matter relative to the candidacy of any person or persons seeking nomination or election to any public office, prohibiting the circulation of such matter in the name of leagues, societies, organizations and associations, prescribing the manner in which printed matter relative to the candidacy of any person or persons seeking nomination or election to any public office may be published and distributed, and providing a penalty for the violation of its provisions.*

SECTION 1. ANONYMOUS PUBLICATIONS PROHIBITED.] *Be it enacted by the People of the State of Illinois represented in the General Assembly: That it shall hereafter be unlawful for any person or group of persons, or any firm, organization, association, league or other body to publish, circulate or distribute any pamphlets, circular, handbill or other printed matter relative to the candidacy of any person or persons seeking nomination or election to any public office unless the same shall bear thereon in plain type the name and address of the person or persons; or the names and addresses*

of the officers of any firm, organization, association, league or other body causing such matter to be published and distributed and in the event that two or more persons join in causing said matter to be published and distributed then the names and addresses of each of such persons shall be imprinted thereon in plain type: *Provided*, that if more than ten persons shall join in publishing and distributing such matter, then it shall be sufficient if the names and addresses of ten of such persons shall be imprinted thereon as aforesaid. *And provided further*, that it shall not be necessary for any domestic corporation, in good standing and organized at least one year prior to publishing such matter, to print as aforesaid more than its full corporate name and address and the name of its chief executive officer.

§ 2. SIGNING OF PRINTED MATTER.]

It shall hereafter be unlawful to sign or affix to any such printed matter the name or title of any firm, organization, association, league, or other body or any name or title purporting to be the name of any firm, organization, association, league or other body or to affix or attach to or upon such matter any name, title or designation other than is provided for and required by the preceding section, provided that the printers may be required by law or ordinance to attach to such printed matter a registry number.

§ 3. NEWSPAPERS, MAGAZINES OR ELECTION OFFICIALS MAY PUBLISH.] Nothing

in this Act shall be construed to apply to any matter or thing published in any newspaper, magazine or journal recognized and circulating as such which matter is published by such newspaper, magazine or journal on its own behalf and upon its own responsibility and for which it shall not charge or receive any compensation whatsoever, nor shall it apply to any publication issued by any legally constituted election officials in the performance of their duties.

§ 4. VIOLATIONS—PENALTY.] Any person who shall fail to comply with or who shall violate any of the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than one hundred dollars, (\$100.00) nor more than five hundred dollars, (\$500.00) or confined in the county jail not longer than six months nor less than thirty days, or shall be punished by both such fine and imprisonment and each publication shall constitute a separate offense.

§ 5. REPEAL.] All Acts or parts of Acts which are inconsistent with the provisions of this Act are hereby repealed.

APPROVED JUNE 26, 1917.

NOMINATION OF JUDGES OF SUPERIOR COURT OF COOK COUNTY, AND CIRCUIT JUDGES.

AN ACT to provide for the nomination by political parties of judges of the Superior Court of Cook County and of all circuit judges.

SECTION 1. CONVENTION—WHO TO CONSTITUTE.] *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That candidates of any political party as defined in section two of an Act entitled, "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, for the office of judge of the Circuit Court in any county of the State of Illinois, and for the office of judge of the Superior Court of Cook County, shall be nominated at a convention of the members of such party's county convention as created by section 10 of said Act as amended by an Act approved June 30, 1913, in force July 1, 1913.

If any judge or judges of the Circuit Court are to be elected in any circuit comprising more than one county, such convention shall be composed of the members of each of the county conventions of the counties in such circuit.

§ 2. CONVENTION—PLACE OF HOLDING.] Such conventions shall be convened

at the county seat of the county, when such circuit is included in one county. If such circuit includes more than one county, it shall meet at the county seat of the county having the largest population but a majority of the delegates constituting such convention may designate the place within such circuit that such convention shall be held.

§ 3. CONVENTION —CALL —TIME—ETC.] At least 75 days prior to the time such judges are to be elected, the chairman of the county central committee respectively of each political party (or in case a circuit comprises more than one county then the chairman of the county central committees of such counties comprised within said circuit, or a majority thereof) shall file in the office of the Secretary of State a call for the conventions of their respective parties for nominating such judicial candidates to be voted for at such election. Said call shall state, among other things, the time and place, (designating the building and hall (for holding such convention. The time designated for holding such convention shall be not more than 60 days nor less than thirty-one days before said election. Should any county chairman fail to make the call herein provided or should the chairman of the county central committees (in the event that any such circuit comprises more than one county) fail to agree upon a place for such convention or to make a call therefor as herein provided, at least seventy-five days before

said election, then the Secretary of State shall immediately upon such failure himself make the call as herein provided.

§ 4. DELEGATES — VOTES ALLOWED.] Each of the delegates to such convention shall have one vote, and one additional vote for each fifty (50) votes, or major fraction thereof, of his party, cast in his precinct or political subdivision for Governor at the last general election.

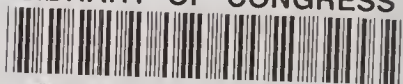
§ 5. CERTIFICATION OF NOMINATIONS.] All such nominations made by such conventions shall be duly certified to the Secretary of State by the presiding officer thereof, and when certified shall be placed upon the official ballot to be voted for at said election. Not less than fifteen days before said election the Secretary of State shall certify to the county clerk of each county within which the electors may by law vote for such candidates as may be nominated hereunder the name of the person or persons nominated for such office as shown by the certificate of such presiding officer on file in his office.

§ 6. REPEAL.] All laws, and parts of laws, inconsistent herewith are hereby repealed.

APPROVED JUNE 25, 1917.



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